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PROCEEDINGS AND ACTS OF THE ASSEMBLY, 1748-51.

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The European background upon which American affairs were projected when the Assembly met in session in 1748, found Great Britain still engaged with France in what in the colonies was called King George's War, but when the Assembly met in 1749, Governor Ogle was able to congratulate the province upon the restoration of peace, which had been effected by the recently signed treaty of Aix-la-Chapelle.

Samuel Ogle, who had entered upon his third term as Governor in 1746, continued to serve in that capacity during the period covered by this volume, and died in office, May 3rd, 1752. He was an excellent governor, and the controversies which took place between him and the members of the Lower House, who were of the Country, or anti-Proprietary party, at the time usually in a slight majority in this body, were due rather to the rising spirit of independence then developing in the colonies, than to any feeling of ill will towards the Governor himself, who was tactful and personally popular. As the General Assembly did not meet in 1752 until after Ogle's death, this volume completes the story of the activities of the Assembly during his last administration. The Country party was continually at loggerheads with the Proprietary party as represented by the Governor, the Upper House and the followers of the Proprietary in the Lower House, usually in the minority here. Charles, the fifth Lord Baltimore, died, April 24th, 1751, and his son Frederick, the sixth and last Lord, then a minor, became Proprietary. With Frederick's delinquencies later volumes will deal.

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CONTENTS.

	PAGE
EDUCATION AND THE MARYLAND CONSTITUTIONAL CONVENTION, 1864. <i>By L. E. Blanch,</i>	225
THE ABINGTONS OF ST. MARY'S AND CALVERT COUNTIES. <i>By Henry J. Berkley,</i>	251
BALTIMORE COUNTY RECORDS OF 1668 AND 1669. <i>Contributed by Louis Dow Scisco,</i>	255
THE MURDOCK FAMILY OF MARYLAND AND VIRGINIA. <i>By William B. Marye,</i>	262
CENSUS OF DEPTFORD HUNDRED OR FELL'S POINT, 1776,	271
THE LINTHICUM FAMILY OF ANNE ARUNDEL CO., MARYLAND AND BRANCHES,	275
EXTRACTS FROM ACCOUNT AND LETTER BOOKS OF DR. CHARLES CARROLL, OF ANNAPOLIS,	284
GOUGH-CARROLL BIBLE RECORDS,	302
JONATHAN BOUCHER, AN AMERICAN LOYALIST. <i>By James E. Pate,</i>	305
NOTES, CORRECTIONS, ETC.,	319

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EDUCATION AND THE MARYLAND CONSTITUTIONAL CONVENTION, 1864.

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1. THE CONVENTION OF 1864 AND A NEW CONSTITUTION.

The Constitution of 1851 had been drawn up and passed in an irregular manner and with many of the citizens it was unpopular from the first. It was not modern enough for the times. As a consequence demands arose for a new constitution.¹ In 1858 the Legislature ordered a vote on the question of a new constitution and it made provision for a convention in case the vote was favorable, but the election gave a majority of over 8,000 against it. A strong move was also made in the Legislature of 1862 but this too came to nothing. It was accordingly left for the Legislature of 1864 to submit to the voters the call for a constitutional convention.² On April 6, 1864, the vote was taken and delegates were elected. The sentiment was overwhelmingly favorable.³ Of the 96 delegates, 61 were Union men and 35 were Democrats. The latter were opposed to the Convention and they were mainly from ten southern and Eastern Shore counties—Somerset, Dorchester, Queen Anne's, Kent, St. Mary's, Charles, Calvert, Anne Arundel, Prince George's and Montgomery.⁴

¹ William Starr Myers, *The Maryland Constitution of 1864*, 13.

² *Ibid.*, 30-1.

³ *Ibid.*, 34.

⁴ *Ibid.*, 39.

The Convention met in Annapolis on April 27, 1864, and its deliberations consumed several months until its final adjournment on September 5.⁵ The two great issues with which the Convention had to deal were the emancipation of the slaves and the relation of the State to the Union, but many other phases of government were discussed. The Constitution which was framed has been characterized by a student as "a decided advance toward modern methods and systems of government," and as showing a distinct effort to have the Constitution conform as far as possible "to the best features embodied in the Constitutions of the other States of the Union."⁶ It was adopted in the Convention by a party vote.⁷

At the election for the ratification of the Constitution a stringent test oath was required,⁸ which, of course, disfranchised many citizens who were opposed to the new Constitution. At the same time the soldiers in the Union Army were granted the privilege of voting. The counties and Baltimore City gave a majority of 1,995 against ratification, but the soldiers voted overwhelmingly for ratification, with the result that there was a final majority of 375 for ratification.⁹ It was a close margin. The Constitution obviously did not represent the wishes of the majority of the citizens.

2. EDUCATION IN MARYLAND: COUNTY SCHOOL SYSTEMS.

After the failure of the Convention of 1850-51 to make provision for a State school system¹⁰ the counties continued their own efforts and by 1864 each had made some provision for public education.¹¹ Among the counties there was no uniformity

⁵ Maryland Constitutional Convention, 1864, Debates, I, 25; III, 1878.

⁶ Myers, 88.

⁷ *Ibid.*, 90.

⁸ Maryland Constitution, 1864, Art. I, Sec. 4.

⁹ Debates, III, 1926.

¹⁰ L. E. Blanch, "Education in the Maryland Constitutional Convention, 1850-51. *Maryland Historical Magazine*, Vol. XXV, p. 169-90.

¹¹ See Maryland Code, Public Local Laws, 1860; and Maryland Code Supplement, 1861-67. Articles on the various counties.

at all. Most of the counties had county boards of education which were known by a variety of names and with a membership which varied from three to eighteen. In some counties they were chosen at large, while in others the members represented the districts. Election by the voters, selection by the board of county commissioners, and appointment by the Orphans' Court were the methods of securing the county boards. In several counties the board of county commissioners served as the board of education and one county had no board of education at all. Several counties had boards of examiners or inspectors of primary schools.

In all but three counties—Baltimore, Cecil, and Harford—there were district boards which usually consisted of three or five members. These boards were appointed by the county board or they were elected by the voters or by the taxables. In some counties these district boards had practically complete control over the schools, while in other counties their authority was quite limited.

The provisions for school support were likewise of great variety. Generally the counties levied a county school tax, but the legal rates varied greatly. In Caroline county, however, the tax was levied by the districts, while the school law for Worcester county contained no reference to such a tax. A number of counties had accumulated school funds, while others had none. In sixteen counties the school law authorized or required a tuition charge but in three counties the schools were by law free. The charity feature was prominent in the systems of several counties.

The teachers in sixteen counties were employed by the district boards, but in five counties the county boards performed this duty. According to the law the teachers were usually examined by county authorities, but in Kent county the district trustees judged the qualifications of the teachers.

In other provisions for schools the counties varied quite as much as in the items just mentioned. In two counties—Baltimore and Cecil—the schools were conducted entirely on a county

basis. On the other hand, the schools in Caroline and Kent counties were run by the election districts, each of which was divided into school districts. The county-district arrangement was the most common form of organization.

One is disposed to agree with a member of the Constitutional Convention in 1864 who said that no one could take the legislation of the State and come to any conclusion as to what was the school system "in hardly any county."¹² Here was extreme neglect on the part of the State.

The years had not, however, been without attempts to bring some uniformity into public education. In 1856, in 1858, in 1864, and perhaps in other years, strong efforts were made to have the Legislature establish a uniform State system but these efforts came to nothing.¹³ The objections were several. The larger counties apparently favored a State system but objections came from the lower counties, whose members in the Legislature are reported to have refused the taxation of their property to educate "the poor brats of white men."¹⁴ The county systems of schools also stood in the way and the Legislature seemed unable to harmonize the conflicting views and opinions of the counties.¹⁵ The Senate seemed the insuperable obstacle, for that body refused to pass the bills which the lower house drew up for a State school system. The time had come when there was little or no hope that the Legislature would deal sympathetically with the problem.¹⁶

3. EDUCATION IN MARYLAND: STATE AID.

While there was no uniform school system in 1864, the State had embarked on a policy of aid for various types of education. Its assistance to common schools was derived from three

¹² Debates, II, 890.

¹³ *Ibid.*, 1211, 1218-9, 1221, 1231.

¹⁴ *Ibid.*, 1221. Statement by Mr. Abbott, of Baltimore city, who had been a member of the Legislature in 1856.

¹⁵ *Ibid.*, 1225.

¹⁶ *Ibid.*, 1226.

sources: ¹⁷ (1) A tax on banks, 20 cents on every \$100 of paid-in capital. (2) Interest on a part of the surplus revenue distributed by the Federal Government in 1837. The State had used the part originally set aside for schools and it consequently appropriated annually to the schools the amount of \$34,069.36. (3) Earnings of the interest on war claims which the Federal Government gave to the State in 1858. The interest amounted to \$160,929.26. The earnings of this amount, which was invested, have not been ascertained. All of this State aid was apportioned for common schools as follows:

(1) One-half among the counties and Baltimore city in proportion to the amount of the white population of each, and

(2) One-half equally among the counties and Baltimore city. The total amount of the State aid annually distributed was approximately \$60,000.¹⁸

The State had also developed a policy of aid to academies and certain colleges. In 1864 these institutions received about \$20,000 a year.¹⁹

4. THE MARYLAND AGRICULTURAL COLLEGE.

Agitation for agricultural education which extended over a period of years resulted in discussion of the question in the Legislature and finally in an act "to establish and endow an Agricultural College."²⁰ The charter provided for selling stock to the value of \$500,000 in shares of \$25 each. Nearly five hundred citizens of Maryland, a few other States, and the District of Columbia subscribed stock and organized the institution, which was opened in Prince George's county eight miles from

¹⁷ Laws of Maryland, 1813, Ch. 122; 1833, Res. 47; 1837, Ch. 285; 1858, Ch. 295.

¹⁸ State Superintendent of Public Instruction of Maryland, Report to the General Assembly, 1865, 121; First Annual Report, 179; Second Annual Report, 201.

¹⁹ Laws of Maryland, 1864, p. 616; 1865, p. 415.

²⁰ Laws of Maryland, 1856, Ch. 97. For the early history of the College see "History of Education in Maryland" by Bernard C. Steiner, 323-6.

Washington (1859). Although the corporation was private the charter provided for an annual State appropriation of \$6,000 to be applied to the payment of salaries and such other purposes as would promote the success of the College.

In 1862 Congress passed the first Morrill Land Grant Act under which each State and Territory received public lands to the extent of 30,000 acres for each senator and representative it had in Congress.²¹ Land scrip was given to those States within whose boundaries the Government owned no land. The land was sold by each State and the proceeds were invested as an endowment for the support of a college whose leading object was instruction in agriculture, mechanic arts, military tactics, and other studies "to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

The Legislature accepted the provisions of the land grant for Maryland (1864) and a year later it conferred on the Agricultural College the income from the endowment.²² The State's share in the land scrip amounted to 210,000 acres and it was sold for \$112,504.²³

5. SPECIAL LOCAL SCHOOL LAWS AND THE CONVENTION.

The first important discussion of education in the Convention occurred on July 22 when a proposal, made by Mr. Stockbridge, of Baltimore city, was considered to prohibit the Legislature from passing "local or special laws" in a large number of enumerated cases, which included "Providing for the support of public schools, the preservation of school funds, the location or the regulation of school houses."²⁴ This attempt to prohibit special legislation was an effort to strike at what had become an excessive evil. Many matters were constantly brought

²¹ 12 Stat., 503.

²² Laws of Maryland, 1864, Ch. 90; 1865, Ch. 178.

²³ Steiner, 326.

²⁴ Debates, II, 877. Pages 887-91 give the debate relating to schools and so forth.

to the Legislature which in the nature of things could not be understood by that body. Other matters were presented to the Legislature which were "in the nature and form of a litigated case" and which could not be properly acted upon by the Legislature. Other States had found it necessary to prohibit or to limit special legislation and it seemed necessary and just that Maryland should do likewise. The prohibition of special legislation on schools, school funds, and schoolhouses was drawn up in anticipation of a general uniform system of public education.

Mr. Ridgely, of Baltimore county, was interested in the particular reference to schools, school funds, and schoolhouses because it had as its object "a powerful auxiliary in support of a general and uniform system of public education." The prohibition was designed to prevent the Legislature from enacting special laws which would interfere with a general system. Quite clearly the county systems already in operation were likely to come into conflict with a uniform State system and this provision was aimed at preventing such a possibility.

The proposal was also supported by Mr. Daniel, of Baltimore city. No greater evil, he thought, arose "from any one subject in the State from partial and local legislation, than this very school system" which the counties had. There was so much confusion, he said, that one could scarcely come to any conclusion as to what constituted the school system in any county. As he saw it there was "no way so sure to get clear of this partial legislation and get a general system of public education, than to say that the Legislature shall not pass every little local law that every little school district may want passed." The prevention of special local laws was, he asserted, "the first step towards having a great general system of public education throughout the State."

Objections to prohibiting special school legislation were made by four members of the Convention. Mr. Jones, of Somerset county, did not think a general system would be well adapted to all the counties. Mr. Stirling, of Baltimore city, favored a general public school system, but he objected to placing such

restrictions on the Legislature. He suggested that the Legislature might not "provide a sufficiently full and ample public school system" and in that case he feared the restriction might be misconstrued to prevent higher school taxes in some counties than in others. He insisted that it was best to leave such matters of detail "to that power that represents the people." Mr. King, of Baltimore county, said he would have no objection to the restriction if there were a general system of schools, but since none had been made the county systems, he thought, must go down if the prohibition was adopted. He wanted the local laws to remain until a general system was provided. Mr. Henkle, of Anne Arundel county, opposed the restriction because it prevented the Legislature from passing special acts for the preservation of the school fund. Some counties had no surplus school fund, while in other counties there were large surplus school funds which were invested in securities. In some counties these funds were controlled by the school commissioners, in others by the Orphans' Court. No general system, he insisted, would operate "equally just in all the counties."

When the vote was taken on Mr. Stockbridge's proposal it was adopted by 36 to 29.²⁵ Eleven Union delegates voted with the opposition and one Democrat voted for the proposal.

6. REPORT OF THE COMMITTEE ON EDUCATION.

When the standing committees of the Convention were appointed (May 4) they included a "committee on education and the encouragement of literature."²⁶ Seven members constituted the committee, with Joseph M. Cushing, of Baltimore city, as chairman.

After two months the committee made a unanimous report (August 2).²⁷ It proposed an article on education to consist of seven sections, as follows:

Section 1. A State superintendent of public instruction.

²⁵ *Ibid.*, 891.

²⁶ *Ibid.*, I, 37.

²⁷ *Ibid.*, II, 1079-80.

Section 2. An assistant superintendent of public instruction for each county.

Section 3. A State board of education.

Section 4. Five school commissioners for each county.

Section 5. A uniform system of free public education.

Section 6. An annual State tax for free public education.

Section 7. A permanent State school fund.

The report reveals the temper of those members who desired adequate provision for education. To make sure this matter would be properly cared for the details of the school system were to be placed in the Constitution. The Legislature had shown no disposition to deal properly with public education and it was now proposed to effect an arrangement which that body could not spoil.²⁸ The report proposed a thoroughgoing State system in which all the officials were to be appointed by the State and the schools were to be supported by the State. Public education in Maryland was to turn a complete somersault.

One week after the report was made it was considered and amended by the Convention (August 9 and 10).²⁹ The discussion was completed in two days and the article on education was then ordered engrossed for third reading. Finally, on August 31 the amended report was read the third time and it was adopted by a vote of 56 to 18.³⁰ The votes in opposition were all cast by Somerset, Dorchester, Queen Anne's, Kent, St. Mary's, Charles, Prince George's, and Montgomery counties, all counties opposed to a new Constitution. The only Democrat who voted for the article on education was Mr. Bond, of Anne Arundel county.

The result of the action was a carefully drawn statement of six sections, which became Article VIII of the Constitution. It contained 767 words.

The debate on the report of the committee covers approximately 40,000 words in the proceedings. All the details were

²⁸ *Ibid.*, 1206, 1219, 1226.

²⁹ *Ibid.*, 1201-36, 1241-57.

³⁰ *Ibid.*, III, 1690-1.

fully considered. The following twenty-three delegates had more or less prominent parts in the discussion :

Edwin A. Abbott, of Baltimore city
Samuel H. Berry, of Prince George's county
Daniel Clarke, of Prince George's county
Joseph M. Cushing, of Baltimore city
William Daniel, of Baltimore city
Joseph F. Davis, of Washington county
Peregrine Davis, of Charles county
James U. Dennis, of Somerset county
Edmund P. Duvall, of Montgomery county
Richard H. Edelen, of Charles county
William Galloway, of Harford county
Henry H. Goldsborough, of Talbot county
Oliver Miller, of Anne Arundel county
Joseph B. Pugh, of Cecil county
William T. Purnell, of Worcester county
James L. Ridgely, of Baltimore county
George W. Sands, of Howard county
Frederick Schley, of Frederick county
Archibald Stirling, Jr., of Baltimore city
Henry Stockbridge, of Baltimore city
John L. Thomas, Jr., of Baltimore city
Robert W. Todd, of Caroline county
James Valliant, of Talbot county

The outstanding defender of the report on education was the chairman of the committee, Mr. Cushing, while the outstanding objectors were Mr. Miller and Mr. Edelen. Both of these delegates were opposed to a new Constitution. Mr. Sands, though generally voting with the majority, raised numerous objections.

7. THE ISSUES: THE STATE SUPERINTENDENCY.

The first item in the report of the committee on education was provision for a State superintendent of public instruction, who was to be appointed by the governor within ten days after the ratification of the Constitution, with the advice and consent of the Senate. The term was to be four years and the annual salary proposed was \$3,000, exclusive of office and traveling expenses. Within thirty days after the opening of the first session of the Legislature under the new Constitution he was to

report to that body a uniform system of free public school education and he was also to perform such other duties pertaining to his office as might be prescribed by law.³¹

This part of the report occasioned much discussion.³² The proposed salary of \$3,000 was much fought over. Mr. Todd wanted the salary to be \$2,000. The office, he thought, was "a very nice, pleasant little office, with light duties" and \$2,000 would be a sufficient salary. Mr. Sands said he knew many men in Maryland who would take the office "as a perfect God-send" for the smaller salary. A first-class man, he believed, could be secured at the figure stated, and in justice to the people who were "groaning under the weight of taxation," the salary should be decreased. The office, he insisted, "would be one of the pleasantest positions that could be bestowed on any man," especially in view of the fact that the corps of assistants would do most of the hard work. The effort to reduce the salary was supported by Mr. Miller, who referred to college presidents and professors as just the class of men most competent to serve in the office and whose salaries were generally far less than \$3,000. He preferred, however, to leave the salary to the Legislature. Another objection to a high salary was made by Mr. Daniel on the ground that it would allure men who were "always watching for fat offices and big salaries" and who could "bring political and other influences to secure them such places." The man he thought best qualified for the position was Dr. McJilton, principal of the male high school of Baltimore, who was then receiving a salary of \$1,800 a year. He did, however, suggest a salary of \$3,000 a year, including expenses, or \$2,500, not including expenses. He said that when a recent Legislature was about to create a similar position there was "application after application from the first teachers in this State who were

³¹ The committee had two men in mind for the position, Libertus Van Bokkelen, of Baltimore county, and William H. Farquhar, of Montgomery county. Governor Bradford had privately agreed to appoint one of these men. (William Starr Myers, *The Maryland Constitution of 1864*, p. 86.) The names of these men are not, however, recorded in the debates.

³² Debates, II, 1201-18.

anxious to secure the place of State superintendent." The position, he believed, would be very high and honorable, one in which a man could "distinguish himself, and show off to more advantage than any other position in the State," and it would be coveted as much for the position as for the salary. A proposal was made by Mr. Valliant that the annual salary be \$3,000 for four years and \$2,000 thereafter on the ground that the duties to be performed by the first superintendent would be much more onerous than those of his successors. Mr. Purnell thought a salary of \$2,000 would amply compensate the officer and that many men would be willing to take the office at that figure. A similar position, said he, was considered by the Legislature in 1864 and there were men "of known capacity and experience in this particular department" who were willing to accept it for a salary of \$1,500. Neither the expenses nor the duties would, he believed, be particularly heavy after the system was under way.

A strong defense of the \$3,000 salary was made by Mr. Cushing. No office in the State, he maintained, would tax the energy of a man as this office would. It was no sinecure, no office whose duties could be performed by deputies. Second class work or second class men, he asserted, were not wanted. The salary should be such that a man would be able to take and keep the office as "a labor of love and of patriotism." School teachers, he thought, as a class were not fitted for it, he had very high standards for the office. He also objected to leaving the salary to the Legislature because that body had "never hitherto been particularly favorable to common school education," it had "consistently and uniformly thrown its decisions against free education in Maryland."

Further support for the large salary came from Mr. Ridgely, who feared that the whole system would fail if there were not held forth sufficient inducements to men of ability and capacity for the position. Mr. Pugh wanted no man in the position "who would take it as a God-send at a salary of \$2,000," or one who would get along "by following the path laid down by other men

before him." He desired someone who would "be capable of handling the whole subject fully, and who would be qualified to inaugurate a system of public education in the State, even if there never had been any system established in other States." He further stated his belief that the estimation placed on the position in the Constitution was the measure of the position before the world. Mr. Schley was "so desirous of securing a thoroughly competent superintendent of public education" that he "would rather run the risk of giving too large a salary, than falling short one dollar of the necessary sum to secure his services," and he was persuaded that the sum of \$3,000 was not an extravagant sum at all, nor was it a large sum in comparison with the large duties of the office. Mr. Stockbridge said there were fewer men fitted for the position than for almost any other position under the Constitution. He thought that the incumbent must be familiar with the school systems of other States, with the county systems of Maryland, and with the subject of education, one who could work out an efficient system. He supposed "there would be plenty of applicants if the salary was placed at five hundred dollars" and that "perhaps if the position was put up at auction" some might be found who would be willing to take it at a great deal less, but he believed that such a salary should be paid as would secure the best man that could be obtained.

Finally, at the suggestion of Mr. Ridgely and on motion of Mr. Hebb, of Allegany county, the report was amended by changing the salary to \$2,500.³³ There was also some discussion of the superintendent's expenses. It was proposed that the salary stated should include his expenses but this idea did not prevail. The Convention agreed that an additional sum for the purpose was to be allowed by the Legislature.

Within ten days after the ratification of the Constitution seemed too short a time to allow the governor for making the appointment and the time was accordingly lengthened to thirty days. The appointment "by and with the advice and consent

³³ *Ibid.*, 1213-4. The vote was 41 to 20.

of the senate" was also changed so it would be "subject to the confirmation of the senate."³⁴ One other proposed minor amendment was rejected.

8. THE ISSUES: ORGANIZATION OF THE SYSTEM.

The report of the committee on education made further provision for the organization of a school system in the following sections:

Section 3. A State board of education was to consist of the governor, the lieutenant governor, the president of the senate, the speaker of the house of representatives, and the State superintendent of public instruction. It was to perform such duties as the Legislature might direct.

Section 2. An assistant superintendent of public instruction was to be appointed by the State superintendent of public instruction for each county and Baltimore city. The term was to be four years and the salaries and duties of these officials were to be prescribed by the Legislature.

Section 4. Five school commissioners for each county were to be appointed by the State board of education for terms of four years. Their duties were to be such as the Legislature might direct. The school commissioners of Baltimore city were, however, to remain as they were then constituted and their appointment by the mayor and the city council was to be continued.

Objection to these items was made by Mr. Daniel on the ground that they should be left to the Legislature and to the State superintendent, who was to prepare a plan for a school system.³⁵ Later he withdrew his objection. Mr. Sands also wanted to leave these matters of detail to the State superintendent and the Legislature. He suggested that the proposed organization with so many officials would unnecessarily array public opinion against the Convention because it would entail needless

³⁴ *Ibid.*, 1217.

³⁵ See Debates, II, 1218-29 for the discussion and proceedings which give the facts used in discussing this section, unless otherwise stated.

expense upon the people of the State. Mr. Edelen was also opposed to placing these officials in the Constitution. He furthermore said that his and adjacent counties already had public school systems with which they were "abundantly satisfied." Mr. Purnell wished "to put the machinery in motion in some form or other" which would in time make possible the detection of its defects and their remedy by subsequent legislation.

The inclusion of the organization in the Constitution was strongly defended. Mr. Cushing informed the Convention that the scheme had been put into the proposed article on education "for the very purpose of keeping the Legislature from interfering with these details." "Many members of the committee," he stated, "were from the counties and they were unanimously of the opinion that it was judicious and wise to place these restrictions upon the State superintendent and future Legislatures." The omission of the organization would, he thought, "interfere with the uniformity of the whole system," it would prevent the State superintendent from reporting a "well defined and consistent system," and "the Legislature from concluding upon any good system" when the report was made. He believed it was hopeless for the Legislature to try to harmonize the various conflicting views and opinions of the counties with reference to their established school systems, no Legislature would be long enough to accomplish such a result. Mr. Abbott, after recounting his experience with former legislatures, expressed his gratification that the report of the committee took the matter out of the hands of the Legislature and provided a system of public education by a vote of the people.

No objection was made to the State board of education and it was therefore passed with only very brief discussion. Inasmuch as the Constitution provided that the lieutenant governor should preside over the senate "the president of the senate" was later struck from the section on the State board.³⁶ The board was therefore made to consist of four ex officio members.

The real points of difference in the Convention were on the

³⁶ Debates, III, 1786-7.

county organization of schools. Much objection was made to the county, or assistant, superintendents of public instruction. Similar provision had several years earlier been the subject of controversy in the Legislature when a school bill was under consideration and now it again became a point of dispute. Mr. Edelen was against these officials "on the score of expense" and he could not conceive what duties they would have "as contradistinguished from those to be exercised by the school commissioners." Mr. Dennis, in view of the provision for a State superintendent and county school commissioners could not see the necessity for county superintendents and he referred to the expense of the "twenty-two additional offices" as "no slight matter." Mr. Purnell preferred to leave the work of the county superintendent to the board of school commissioners, which at that time was the usual practice in the counties. Mr. Sands was also opposed to these offices because of their cost.

As usual Mr. Cushing rallied to the defense. The county superintendent, he contended, was to do "the really active work of travelling through the county," of seeing that the work was properly done, and of reporting to the State superintendent. He seriously questioned whether "the great bulk of school commissioners" who had charge of the schools were capable of examining the teachers. In many cases, he said, the examination was "a mere farce, without the slightest attention being paid to the qualifications of the person appointed." The expense, he insisted, should not have much consideration inasmuch as that was left to the Legislature. Mr. Abbott believed that the county superintendent was employed in every State which had a system of schools such as Maryland intended to establish and he wanted the office included.

The conclusion was that the county superintendency was struck from the report of the committee by a vote of 31 to 20.³⁷

The other phase of organization which was much discussed was the board of county school commissioners. Mr. Daniel thought there might be counties where more than five commis-

³⁷ Debates, II, 1228.

sioners would be required and that in the smaller counties they might not want so many. One for every election district might be desired. The number, he believed, should be left to the superintendent and the Legislature. With this idea Mr. Sands was in agreement. He saw strong objections to fixing any particular number in the Constitution irrespective of county population and necessities. Mr. Purnell desired to have a school commissioner in each election district, which was the plan they employed in most of the counties.

Mr. Cushing opposed the attempt to have the Legislature try to harmonize the school systems of the counties because it could not be done. The committee did not report in favor of a school commissioner for each election district, he said, because experience had shown that such boards were not competent. He suggested that in some cases commissioners who under the county systems were to examine the teachers had not known how to read or write. A board chosen at large would, the committee hoped, be removed "from the sphere of politics" and would result in greater competency.

The dispute was compromised by a statement that there should be in each county as many school commissioners as the State superintendent would deem necessary.³⁸

9. THE ISSUES: ESTABLISHING THE SYSTEM.

The report of the committee (section 5) provided that a uniform system of free public schools was to be established by the Legislature at its first session under the new Constitution. A school was to be "kept open and supported free of expense for tuition in each school district, for at least six months in each year." In case the Legislature failed to provide a school system the system reported to it by the State superintendent was to "become a law, and have full effect as if enacted by the general assembly," provided it conformed to the Constitution.

The statement regarding the provision to be made in case the

³⁸ Ibid., 1227, 1228. The vote was 31 to 21.

Legislature failed to act became the subject of much debate.³⁹ Mr. Cushing explained that the object of the committee was "to necessitate the Legislature either to provide a uniform system for the State, or else to take the responsibility of accepting the report made by the State superintendent." He asked the Convention "to take a lesson from the past, and by its light read the probable results of the future." He furthermore suggested the small probability that in any ordinary session of the Legislature a system of free public education would be adopted. Mr. Sands thought that in the lower house of the Legislature there would be no difficulty with enacting a system of education but that in the senate there would be as little likelihood "in getting a uniform system of education as to getting blood from a turnip." Support in debate came from other delegates from Baltimore city, Mr. Stirling, Mr. Abbott, and Mr. Stockbridge, and from Mr. Ridgely.

Opposition in debate came from several sources. Mr. Edelen argued against the provision on the basis that it indicated "a general distrust of the Legislature" and that it took from the Legislature the right of legislation and gave it to the State superintendent of public instruction. He was unwilling "to open wide the doors of the treasure for any system of public school education or anything else." Mr. Miller denied the power of the Convention to delegate to anybody the law-making power in the way proposed. He believed the Legislature with a constitutional obligation would go to work and form a school system. Several others also made objection to the proposal made by the committee. An amendment to strike out the provision in question was defeated by a vote of 12 to 39 and the Convention accepted the section of the report with only a minor change.

10. THE ISSUES: STATE SUPPORT.

The report of the committee on education contained two sections on the State support of the school system, as follows:

Section 6. An annual State tax of not less than 10 cents on

³⁹ *Ibid.*, 1221-3, 1225-7, 1229-33.

every \$100 worth of property was to be levied by the Legislature for the support of free public schools. This tax was to be paid into the State treasury and to be distributed by law among the counties and Baltimore city "in proportion to their respective population between the ages of five and twenty years." The Legislature was to levy no "additional school tax upon particular counties" unless such counties by popular vote expressed their desire for such taxes. The city of Baltimore, however, was to provide for its school tax as it was then doing.

Section 7. A permanent State school fund was to be provided by the Legislature for the support of the free common schools of the State, "by the imposition of an annual tax of a not less amount than three hundred thousand dollars." The proceeds of the tax were to be invested by the State treasurer, together with the annual interest, until the fund "together with the present school fund" would amount to \$6,000,000. After this fund had been accumulated it was to remain inviolate and to be increased as the Legislature might determine. The annual interest was to be disbursed for educational purposes only, as the law might prescribe.

This large tax, amounting to about 20 cents on every \$100 worth of property, drew fire from several members.⁴⁰ Mr. Miller knew of no such "extravagant expenditure in any State in the Union" as the one proposed for Maryland. It seemed to him that "gentlemen must desire to defeat this Constitution" with this provision. He discussed the county school taxes which were then levied and tried to point out that the taxes on the counties would be greatly increased under the new plan of support. Mr. Berry, rather curiously indeed, thought the small counties would be required to pay a tax for the support not only of their own education but also to educate the children of other counties and Baltimore city. Mr. Edelen referred to the loss of property due to the emancipation of the slaves by the Constitution, and he said there had never been a time when the people "were so little able to endure heavy taxation."

⁴⁰ *Ibid.*, 1233-6, 1241-55, record the debates on this point.

Mr. Cushing was on hand as defender. He stated that the county taxes for schools on the average, and the State taxes for bonds, which had just been discontinued, came to a total of 21 $\frac{7}{8}$ cents on every \$100 of property and that the proposed tax of 20 cents therefore in reality represented a slight reduction of taxation from the preceding year. He suggested that Massachusetts had not grown poor under a school tax three times that proposed for Maryland, in fact, that State had greatly prospered. No remonstrance, he said, came from the city of Baltimore, which paid the bulk of the taxes, that high honor was reserved to Anne Arundel county through her delegates. He was sharp in his denunciation of the opponents. Mr. Stockbridge pointed out that in estimating the charge on the people the tuition then paid in the county schools should be considered as an expense and that it should rightly be taken into account in thinking of the increased cost of the schools under the new arrangement. The new plan for free schools, he said, represented a shifting of the burden of support, in many cases, from those who were ill able to bear it to those who were abundantly able.

To make certain that taxation for schools would be reduced Mr. Miller proposed an amendment which provided that the taxes then levied for the support of public schools in the counties should be discontinued on and after January 1, 1866. The object was to eliminate the county and district school taxes which supported the schools under the local laws. His proposal was rejected by a vote of 17 to 41.

Two delegates raised a question about the disposition of the county school funds which a number of counties had invested. Mr. Miller complained that no provision had been made at all for these funds. He took it that either the funds would be taken from the counties and added to the general school fund of the State—a great injustice—or the county authorities would have authority to dispose of them for such purposes as they saw fit. Mr. Berry also desired to know what was to become of these funds. No further consideration of this question was recorded and the matter was left unsettled.

The section of the committee report which required an annual State school tax of 10 cents on every \$100 worth of property was finally adopted with practically no change. The vote was 47 to 14.

Several members attacked the provision for a permanent State school fund.⁴¹ Mr. Edelen asked whether that was the time to pass a law for raising a fund which was "to operate *in futuro* and weigh down the energies of the people for years to come." He also asked whether the people would not be as able fifteen or twenty years later to pay money for the support of schools as they then were. To provide for immediate wants was, he suggested, enough. Mr. Miller knew of no other State with such a large school fund. A longer time, he thought, should be allowed for raising the fund and a smaller sum should be imposed at first for that purpose.

Mr. Cushing replied to the attack. He thought that in various ways, among which were private gifts, the fund would increase much more rapidly than had been anticipated. Mr. Sands was enthusiastic in his hope that in less than twenty years the fund would "rid the people of Maryland from taxation wholly and entirely upon the subject of public schools." He denounced the idea that the future should be left to take care of itself, it was "not upon such grounds that men fit to be legislators for mankind, practice."

On motion of Mr. Cushing the annual amount of \$300,000 which was to be raised for the fund was struck out and a provision was included for an annual State tax of not less than 5 cents on every \$100 worth of property. After another minor amendment by Mr. Ridgely the section providing for a permanent State school fund was adopted.

11. THE ISSUES: NEGRO EDUCATION.

The report of the committee on education made no mention of negro education.⁴² The chairman of the committee, Mr.

⁴¹ *Ibid.*, 1255-6.

⁴² See *Ibid.*, 1250-5 for the discussion of this issue.

Cushing, said that while he had ardently desired a provision making it incumbent on the Legislature to provide for the education of colored people, he had sedulously refrained from providing a separate school system for them because "the Convention and the people of Maryland were possibly not ready for that," but he hoped that the time might come when the Legislature would be willing to have it. He was opposed to putting a prohibition on the Legislature on this point. Even as "a mere measure of safety to the State" it seemed to him the free colored population should be educated.⁴³

When the Convention had under consideration the annual State school tax Mr. Berry offered an amendment to distribute the school tax among the counties and Baltimore city according to their respective white population.⁴⁴ He did not intend to give free negroes the privilege of going to school with his children and he meant to guard against it. He was unwilling to receive any portion of this fund for the negro population of his county when, having received it, the county might be called upon to apply it to the education of negroes. He was opposed to educating blacks in Maryland "to take the place of white men."

Two issues were involved in the amendment. One was the fear on the part of some delegates that, without the amendment, public education might in the future be provided for negroes. Another issue was the amount of school money which the counties would receive. If the school fund were distributed according to the white population the lower counties with large negro population would quite obviously receive much smaller amounts than they would if the fund were apportioned according to the whole population. Both issues received attention in the debate.

The proposed amendment by Mr. Berry was adopted by a vote of 30 to 27, but almost immediately a motion to reconsider prevailed. After further discussion Mr. Berry withdrew his

⁴³ *Ibid.*, 1233-4.

⁴⁴ On the preceding day Mr. Galloway, of Harford county, offered the same amendment, but he withdrew it. (*Ibid.*, 1233.)

amendment. Mr. Duvall then offered an amendment to the effect that the public schools established by the constitutional article on education should be "solely for the white children of the State," but it was rejected by a vote of 18 to 43.

When the section of the report on the permanent State school fund was under consideration, Mr. Duvall tried to amend it so that none of the fund derived from taxation should be applied toward educating the free negro population. The proposal was overwhelmingly rejected.⁴⁵ Mr. Davis, of Charles county, made a similar motion, but it too was rejected.⁴⁶

12. THE AGRICULTURAL COLLEGE AND THE CONVENTION.

The only definite reference to the Agricultural College in the Convention seems to have been occasioned by the Confederate raid through Maryland during the early part of July, 1864.⁴⁷ The Confederate troops threatened Washington and skirmished within sight of the city. Some of the raiders visited the College.⁴⁸ Because of the raid the Convention scattered and from July 11 to 18, inclusive, no sessions were held, no quorum being present.⁴⁹ A few members remained during those days and from day to day they met and adjourned, thus keeping the organization intact.

It was during this raid that the professors of the Agricultural College were accused of having communication with the raiders and serious charges were made against them.⁵⁰ In the fever of excitement Mr. Smith, of Carroll county, on July 21, moved to add to the Constitution the following section: "The Legislature shall make no appropriation, gift or endowment, directly or indirectly, in aid of, or for the use, benefit or advantage of the State Agricultural College, or of its professors, agents or employees, or any of them."⁵¹

Five days later (July 26) Mr. Smith stated that he had

⁴⁵ *Ibid.*, 1256.

⁴⁶ *Ibid.*

⁴⁷ See Myers, 44-5, for a statement about the raid.

⁴⁸ Debates, II, 975. ⁴⁹ *Ibid.*, 799-800. ⁵⁰ *Ibid.*, 974-5. ⁵¹ *Ibid.*, 846.

offered the proposal on what he supposed to be satisfactory grounds, but he had later received a communication from one of the authorities of the College which put the matter "in an entirely different light."⁵² He therefore did not insist on incorporating his proposal in the Constitution and it was accordingly postponed. It was not called up thereafter.

One other reference may have related to the College. On the day in which Mr. Smith's measure was passed over, on motion of Mr. Stirling, of Baltimore city, a section was added to the Constitution which gave the Legislature authority "to receive from the United States any grant or donation of land, money or securities for any purpose designated by the United States."⁵³ Such grant or donation the Legislature was ordered to administer or distribute according to the conditions of the grant. There was no discussion nor was there a recorded vote. The action of the Convention assured the Federal Government of the State's intention to abide by the conditions of Federal donations. Its scope was, of course, more inclusive than the grant for the Agricultural College.

13. MISCELLANEOUS MATTERS.

Several other matters of discussion and action by the Convention deserve passing notice. The section on education in the Declaration of Rights was lifted from the Constitution of 1851 and to it was added "the extension of a judicious system of general education" as something which the Legislature "ought to encourage."⁵⁴ This phrase was in the report of the committee on the Declaration of Rights and it was adopted without debate or amendment.

A second item of interest was a provision in the new Constitution which required the Legislature to pass laws requiring certain persons, among whom were "teachers or superintend-

⁵² *Ibid.*, 974-5.

⁵³ *Ibid.*, 961. Constitution, Article III, Section 45.

⁵⁴ Maryland Constitution, 1864, Declaration of Rights, Art. 43. See Debates, I, 387.

ents of the public schools, colleges or other institutions of learning," to take the oath of allegiance as set forth in the Constitution.⁵⁵ This statement was a part of the report of the committee on the legislative department and it was adopted without any special discussion. The requirement obviously reflects the war spirit of the time.

A third item had to do with a State school fund. The report of the committee on the legislative department contained a section which provided that the Legislature should take the necessary steps to dispose of the State's interest in the works of internal improvement and use the proceeds to pay the public debt, the surplus to be held as a permanent fund for the support of public education.⁵⁶ The section was debated at length, but there was practically no discussion of the public school fund. The section included in the Constitution which related to internal improvements contained no reference to the school fund.

A fourth item had to do with a general statement on education. Mr. Hopkins, of Howard county, proposed as an amendment to the report of the committee on the legislative department the following statement: "The Legislature shall foster and encourage moral, intellectual, scientific and agricultural improvement; they shall, when it may be practicable, make suitable provision for the blind, mute and insane, and for the organization of such institutions of learning as the best interests of the State may demand."⁵⁷ After being assured that the purpose was accomplished by the article on education in the Declaration of Rights, Mr. Hopkins withdrew his proposal.

A fifth item had to do with the position of the school system of Baltimore. That city had a well organized system of public schools under special legislation which dated from 1826.⁵⁸ This

⁵⁵ Maryland Constitution, 1864, Art. III, Sec. 47. See also *Debates*, I, 476-7; II, 866.

⁵⁶ *Debates*, I, 476. For other references to this matter see *Ibid.*, II, 910-1, 964-5, 1026, 1077-8; III, 1890. See also Maryland Constitution, 1864, Art. III, Sec. 52.

⁵⁷ *Debates*, III, 1520. August 24. See also *Ibid.*, 1654-5 and 1690-1.

⁵⁸ Laws of Maryland, 1825, Ch. 130.

matter was adjusted with practically no debate. The Constitution stated that the school commissioners of the city were to remain as then constituted, subject to whatever changes the Legislature and the city might make.⁵⁹ The Constitution also made provision for the city to raise its additional school tax in the way that was then employed or as might be provided by the Legislature and the city.⁶⁰ The city was, of course, to share in the annual distribution of the State school tax. The city of Baltimore was thus to have a school organization which was more or less separate from the State system.

14. CONCLUSION.

Education was an important question in the Constitutional Convention of 1864. The time was at hand when those who were interested in the cause had the strong hand and they used their advantage with great vigor. The opponents of a general school system were so much in the minority that they could offer no effective resistance. The outcome was that the Constitution of 1864 contained a detailed article for a State school system in addition to several other references to the subject. As long as the Constitution remained in force a uniform school system was assured for Maryland.

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THE ABINGTONS OF ST. MARY'S AND CALVERT COUNTIES.

ABINGTON OF DOUDESWELL, GLOUCESTERSHIRE, ENGLAND.

By HENRY J. BERKLEY.

Arms. "He beareth, argent, on a band gules, three eaglets displayed, or, an annulet of the second." (Shield of Anthony Abington of Doudeswell.)

About the year 1650 there came into the Province of Maryland an English gentleman, a merchant of London, who was destined to play a somewhat important part in its infant affairs, but whose name, with that of his family, long extinct in this State, has been entirely forgotten.

John Abington was the eldest son of Anthony Abington, of Doudeswell, in the County of Gloucester. Shortly after his majority in 1628, he married Lady Muriel (the Meriel of the Maryland Archives), a daughter of Sir Richard Berkley of

Stoke-Gifford, of the same county, who, at that date, was greatly interested in the colonization of the New Continent.

In 1650, husband and wife arrived in the St. Mary's River, and soon thereafter patented, in East St. Maries Hundred, the Manor of Abington, 1000 Acres, "granted to him in special manner by his Lordship's special grant and on his Lordships hand and great seal at St. Clement, dated September 5th. 1655, surveyed for him, that is today, 650 acres of it the 23rd. September, 1653. Quit rent, £1/0/0, to be paid on Ladies Day at St. Maries." Other tracts were patented to him in 1658, another Abington on the South side of the Patuxent River, and Doudeswell, 1000 Acres in 1663, with Abington Cliffs, Calvert County, 200 acres additional.

In 1661, John Abington was appointed by Cecilius, Lord Baltimore, a Justice of the Peace of St. Mary's, with especial instructions "against felonies, witchcrafts, enchantments, sorceries, magick arts, trespasses, forestallings, whatsoever. He was reappointed Justice at a Council held at St. Mary's in 1667, Charles Calvert, Philip Calvert and Jerome White, attending. Again his Commission was reissued in 1669, his terms of service as Justice lasting about twelve years.

Besides being Justice, patenting and cultivating land, we find him commissioned to trade with the Indians, the privilege being granted in 1663. It was during this year that a violent dispute occurred between him and Josias Fendall, who even threatened his life, and the matter had to be taken to Court for a settlement.

In the early part of the year 1659, Thomas Cornwaleys left the Colony for England, deputising Mr. Richard Hotchkeys to act as his agent and attorney. Hotchkeys, unfortunately, died a few months later, and Captain Cornwaleys appointed John Abington, by letter, in his place, to collect his rents and see that his affairs were not allowed to fall asunder to his detriment. The tenants of Cornwaleys refused to pay to Abington their tobacco and other rentals.

On the 12th December, 1659, Abington petitioned the Governor and Council on behalf of the absent Captain Cornwaleys,

with the result "that the Board doe allow the said John Abington to be sufficiently empowered by the said Captain Cornwaleys for the receiving and recovering of any tobacco or other debts owing, etc." Thereafter Abington was involved in endless litigation, summons and replevins following one another with the tobacco owners, the long, wearisome trials being the probable cause of his return to London.

Further, after his return home, the Archives of Maryland give little of value to be here recorded. We learn therefrom that a certain James Crawford was appointed his attorney to administer his estates, and that by the year 1696 this estate was wasted, Crawford disbarred for mismanagement, and finally, that the lands were sold by his widow in 1711.

After the so-called Protestant Rebellion headed by John Coode in 1668-9 was over, John Abington with eight other gentlemen who had lived in the Colony, or had done shipping business there for upwards of twenty-five years, were summoned by Charles Lord Baltimore on January 7th, 1689, in London, to testify on his behalf before the Committee of Trade and Plantations. Among the summoned were the venerable Mr. Tillings-ton, a clergyman of the Church of England who spent long years at St. Mary's, and Col. Tailler, also a lifelong resident of the County.

Abington's will was probated in 1694, as of the Parish of St. Fard, the Virgin, of London. Seemingly, he left no children, his wife Muriel becoming the sole heir to the Maryland Manors. His godson, John Abington, a son of his brother William, was appointed administrator of his affairs.

A family record of the Abington family of Doudeswell is not available to determine the exact relationship between John, Lord of Abington Manor, and the others of his name in St. Mary's and Calvert Counties.¹

¹ By recent letters of Mrs. Rowland Berkeley of Worcester City, I am informed that the wills of both John Abington and his mother are still extant and fill many written pages.

In 1687, or about the time of the departure of John and Muriel from the Colony, an Andrew Abington was seated near Abington Cliffs on the Calvert side of the Patuxent River. In this same year he received the appointment of "Deputy Controller and Surveyor of the Port of Patuxent." About this date a meeting of the Council was held at his house, attended by Col. Henry Darnell, Mr. Nicholas Sewall and Mr. Clement Hill. In February 1689 he became High Sheriff of Calvert County. In the following year he was assessed 5500 lbs. of tobacco, for the "Public Charge of the Province" indicating a very active individual and a great land owner. Andrew seems to have returned to England during the Coode Rebellion, as letters addressed to him were to be forwarded to Plymouth. By 1691, however, he was back in Calvert Co., and High Sheriff there. His later fate is unknown, as there is no further mention of him in the Archives.

In St. Maries City, in 1691, there was a Charles Abington of whom there is only the record that he received the (new) Great Seal of Maryland "to be, by him, conveyed to Gov. Copley."

Also, at this date (1691), there was another John Abington, who resided near Mattawoman Creek, Potomac River, where he had married Mary Hutchinson, and resided on land inherited from her father.

On the opposite side of the Potomac River, on what afterwards became Wakefield, the Washington Home Plantation, lived Lawrence Abington (will proved 1670, Westmoreland Co.), who married Lydia Brooks, a daughter of Henry Brooks of Bridges Creek, who was one of the earlier settlers there before the Washingtons came into this neighborhood. Their children were William, Lawrence, Mary and Elizabeth Abington.

John Abington's several residences in St. Mary's present a degree of uncertainty in so far that his first Manor was in East St. Mary's Hundred, the bounds of which are uncertain. Apparently he moved from his earliest Manor to the Patuxent Region and yet on the list of county manors it is accredited to the East Hundred. On the Patuxent extensive tracts are quit

rented to him. After Cornwaleys' departure from the province he returned to St. Mary's City to live at "the Cross," Cornwaleys Manor, and resided there for several years, possibly until his return to England.

The destiny of the several manors owned by John Abington is interesting. Abington Cliffs was sold to Cornelius and William Pake in 1658. Abington Manor, the one on the Patuxent River, was in 1753 in possession of David Arnold, William Holland and Thomas Reynolds, probably having been acquired at a considerably earlier date by parties unknown, probably through Crawford, the agent; while Doudeswell, the only one of which we find a direct record, was acquired in the year 1711, by Samuel Chew and W. H. R. Harrison, by purchase directly from Lady Muriel, the widow of John.

So ends the little that is known of the Abingtons of St. Mary's and Calvert Counties. In the later centuries the family name became unknown in this State, and there remains but little more than the imprint in ancient records, and Abington Creek, Patuxent River, to remind one of a once honoured name among the earlier colonists.

BALTIMORE COUNTY RECORDS OF 1668 AND 1669.

CONTRIBUTED BY LOUIS DOW SCISCO.

So far as these county land records indicate, there was no change from preceding years in the pioneer conditions of the old Baltimore County, except perhaps in a growing volume of transfers, implying a corresponding growth in immigration.¹ It is clear that purchasers of lands were still seeking sites along the water fronts of the upper Chesapeake, which fact seems to show that travel was mostly by boat rather than by such forest trails as then existed.

¹ For summaries of the county records preceding 1668 see vol. 24, pages 151, 342, of this Magazine.

The items that immediately follow summarize the contents of pages 62 to 77 of the court house liber I. R. No. P. P. This volume is a copy made in 1892 from an earlier book of the same title whose contents were in part taken from a still earlier book called H. W. No. A. B. Very frequently names have become distorted as result of these repeated transcriptions. Such distortions are here reproduced, although it seems evident that Oliver Spruce is Oliver Spry, that John Cork and John Ceck mean John Cock, and that H. Walmor and W. Walmon very probably mean Th. Salmon.

Deed, March 4, 1667-68, Michael Bellicon conveying to the estate of Mr. Richard Bennett the tract "Wyfall" of 100 acres, at Sassafras River, adjoining land formerly held by Richard Turney. Witnesses, John Cork, William Palmer.

Deed, March 4, 1667-68, John Collett, gentleman, conveying to John Taylyard 100 acres at head of Muskeito Creek, it being the northern half, next to the woods, of 200 acres called Beaver Neck. Witnesses, John Watterton, Henry Howard.

Deed, March 3, —, William Pearce, planter, for 1,300 pounds of tobacco, conveying to Daniel Silvain 150 acres on the north side of Worton Creek, on the east side of the Bay, it being part of 550 acres called Buck Neck, formerly taken up by Joseph Hopkins. Witnesses, ———, Jerome White.

Deed, January 3, 1667-68, Richard Ball of Patapsco River, with consent of wife Mary, conveying to Francis Peteet 80 acres on the north side of Patapsco River, adjoining William Clapham's land, and formerly granted to Ball. Witnesses, James Frysby, Warner Sudall.

Deed, January 6, 1667-68, James Brown, merchant, of [Salem] in New England, conveying to — G——, land called Orchard's Neck, at Fendall's Creek on the east side of the Bay, formerly patented to William Galloway, planter. Witnesses, John Scott, John Powell.

Deed, — 21, 1667, Howell Powell conveying to Warner Shudall 70 acres on the north side of Patapsco River, between Robert Gorsuch's land and the next creek eastward. Elizabeth Powell signs with grantor. Witnesses, Richard Moss, Jeremy Clerke.

Deed, April 16, 1663, Nathaniel and Mary Utie of Spesutia, for 4,000 pounds of tobacco, conveying to Richard Bennett, junior, the tract "Green Oake" at Sassafras River. Witnesses, George Utie, Jon Browne.

Deed, August 4, 1668, Robert Neife, planter, conveying to William Pearce the tract "Neifes Choice", of 250 acres on the east side of Fendall's Creek. Elizabeth Neife signs with grantor. Witnesses, Thomas Howell, John Collett.

Deed, August 4, 1668, Phillip Holleger and wife Mary conveying to

Timothy Lendall and William Pearce 400 acres at —erson's Creek on the south side of Sassafras River, where Holleger now dwells. Witnesses, Thomas Howell, John Collett.

Deed, March 5, 1667-68, William Orchard conveying to Walter Tucker & Co., merchants, the tract "—ilberry", of 250 acres, near Hunting Creek, on the north side of Bush River. Witnesses, William Palmer, — Dunkerton.

Deed, August 4, 1668, John Lee and William Osbourne conveying to Miles Gibson 240 acres in two adjacent parcels lying on the east side of a branch of Rumley Creek. Witnesses, Barnard Utie, Oliver Spruce.

Deed, March 4, 1666-67, Abraham Coffin, planter, conveying to William Toulson the tract "Tombye (?) " of 100 acres, on the east side of the Bay, adjoining Toulson's land. Witnesses, John Collett, Samuell Collett.

Deed, August 4, 1667, Peter Mounsen, planter, conveying to Oellof Matthias 100 acres at Sassafras River, adjoining Hendrick Freeman's land. Witnesses, John Collett, Samuell Collett.

Deed, March 3, 1667-68, James Phillips conveying to Thomas Thurston 100 acres called Porke Point, on the east side of Bush River, which was patented to Phillips. Witnesses, H. Walmor, Robert Sanders.

Deed of gift, August 17, 1664, Thomas Todd of Gloucester County, Va., conveying to his sons Robert and John Todd three tracts on Patapsco River, bought from Thomas Powell by bill of sale of this date. Witnesses, John Dixon, Phillip Stevenson.

Letter of attorney, July 6, 1668, Thomas Todd of Gloucester County, Va., appointing Richard Ball of Baltimore County his attorney to take acknowledgement of land belonging to Todd. Witnesses, Thomas Deacon, Charles Gorsuch.

Deed, February 12, 1664-65, Richard Gorsuch, planter, with consent of wife Elizabeth, conveying to Thomas Powell 300 acres called Wallnutt Neck, on the east side of Welshman's Creek, on north side of Patapsco River. Witnesses, Howell Powell, Richard Blanks.

Deed, August 17, 1664, Thomas Powell conveying to Thomas Todd of Gloucester County, Va., 287½ acres in Patapsco, called Road River, bought from Walter Dickeson, it being one-half of 575 acres bought by Dickeson from William Batten, merchant. Witnesses, John Dixon, Phillip Stevenson.

Deed, August 17, 1664, Thomas Powell conveying to Thomas Todd of Gloucester County, Va., 100 acres with houses thereon, at or near and east of Wallnutt Neck, on north side of Patapsco River, as patented to Powell. Witnesses, John Dixon, Phillip Stevenson.

Assignment, August 17, 1664, Thomas Powell conveying to Thomas Todd, now of Virginia, the tract "Richardson" of 300 acres, formerly bought of Richard Gorsuch. Witnesses, John Dixon, Phillip Stevenson.

Letter of attorney, February 22, 1667-68, Thomas Powell of Talbot County appointing Samuel Collett his attorney to acknowledge sales of land in Patapsco River to Thomas Todd of Virginia according to writings in possession of John Collett. Witnesses, Howell Powell, Charles Gorsuch.

Deed, March 4, 1667-68, Oliver Spry conveying to William Osborne and John Lee the tract "Spryes Mash" of 175 perches water front, about three miles up Bush River and on the east side. Witnesses, John Watterton, Lancelott Hallett.

Deed, March 4, 1667-68, John Lee and William Osbourne, planters, conveying to Oliver Spry the tract "Crab Hill" of 100 acres on the east side of Bush River, adjoining Will Orchard's land, and patented to Lee and Osbourne. Witnesses, John Watterton, Launcelott Hallett.

Deed, March 4, 1666-67, Francis Child, planter, conveying to Richard Leake, tailor, the tract "The World's End", of 500 acres, on the north side of Sassafras River near Henn Island, patented to Child. Witnesses, Henry Ildesley, John Ceck.

Deed, March 5, 1667-68, Warner Shudall and wife Ann conveying to Nicholas Ruxton about 70 acres on the north side of Patapsco River, between Richard Gorsuch's land on the west and a creek on the east. Witnesses, Even Gwine, Nicholas Richason.

Deed, March 4, 1667-68, Godfrey Harman conveying to Phillip Holleger 350 acres on the south side of Sassafras River, at Terson's Creek, patented to Harman. Witnesses, Sam Collett, Axa Stills.

Deed, April 6, 1668, Nathaniel Utie and wife Elizabeth conveying to Edward Bedwell 500 acres at Swann Creek, adjoining Garrett Rutter's land and being part of the 800 acre tract "Okenton". Witnesses, W. Palmer, Hans De Ringh.

Deed, August 3, 1668, John James, gentleman, conveying to Charles James, merchant, the tract "The Last" of 200 acres at Charm Creek, patented in 1666. Witnesses, Richard Leake, Thomas Midelfield.

Deed, August 3, 1668, Charles James, merchant, conveying to John James, gentleman, the tract "Beniton" of 200 acres at Steelpone Creek, patented in 1663. Witnesses, Richard Leake, Thomas Middlefield.

Deed, August 4, 1668, Richard Farendell conveying to Robert Chapman land at Black Wolf Neck, near mouth of Swann Creek, on the southeast side of the westernmost branch of Gunpowder River, and west of land formerly taken up by Capt. Thomas Harwood, mariner. Witnesses, Will Pearce, Robert Keane.

Deed, August 3, 1668, Hendrick Hendrickson, planter, and wife Juniber, for 1,200 pounds of tobacco, conveying to William Howard, planter, the tracts "Hendrick" and "Hendrickson" of 50 acres each, on the south side and at the mouth of Elk River, one tract adjoining land formerly taken up by Andrew Clements. Witnesses, W. Walmon, Barnard Utie.

Deed, September 6, 1668, John Cocks, planter, conveying to Bartlett Hendrickson the tract "Cock Crow Thrice" of 200 acres on the north side of Cock's Branch of Back Creek at Sassafras River. Witnesses, William Sturdmant, Daniell Sillvane.

Deed, March 3, 1668-69, John Cock, planter, conveying to Edmund Webb the tract "None So Good in Firm Land" of 200 acres on the southeast side of Back Creek at Sassafras River. Witnesses, W. Palmer Barnard Utie.

Deed, March 14, 1667-68, Mary Gouldsmyth, widow of George Gouldsmyth, gentleman, for herself and deceased husband, conveying to Ann O'Mely, formerly wife of Abraham Morgan, and to the Morgan heirs, 500 acres at Morgan's Creek, on the west side of Bohemia River. Witnesses, Samuel Collett, William Gouldsmyth.

Deed, October 2, 1668, Oliver Sprye, gentleman, for 800 pounds, conveying to John Towrs, planter, the tract "Swann Harbour", of 200 acres, on the south side of Bush River, adjoining John Collier's tract "Phillis Choice". Witnesses, Henry Howard, Sam Collett.

Deed, October 30, 1668, John Collett and Mary Gouldsmyth conveying to Robert Morgan, planter, the tract "Horner" of 150 acres, at Gouldsmyth Branch, on south side of Captain John's Creek, at Elk River. Witnesses, Sam Gouldsmyth, James Ives.

Deed, November 4, 1668, Thomas Bastock and wife Jane conveying to James Magreger, planter, the tract "Banks", on the west side of Bohemia River, adjoining land taken up by Briant O'Mely. Witnesses, Joseph Hopkins, F. Salmon.

Deed, November 3, 1668, Richard Windley and wife Mary for 1,100 pounds of tobacco, conveying to Oliver Sprye, gentleman, the tract "Windley Forrest" of 100 acres, on the south side of Gunpowder River, adjoining Edward Swanson's land. Witnesses, Augustine Harman, John James.

Deed, March 3, 1668-69, William Peerce, planter, conveying to John Willis, planter, 200 acres on the south side of Charm Creek. Witnesses, William Osbourne, Ralph Massey.

Deed, April 29, 1669, Ralph Williams, merchant, of Bristol, conveying to Thomas Todd, merchant, of Patapsco River, 330 acres called Notch Point, at Wignall's Creek at the mouth of Patapsco River, said tract having been taken up by William Batten, sold to Walter Dickason, and by him sold to Williams. Witnesses, Charles Tye, John Buckmell.

Deed, June 1, 1669, Mary Gouldsmith conveying to Capt. Thomas Todd 75 acres on Hooper's Island, on the south side of Gunpowder River, near its mouth. Witnesses, Sam Gouldsmith, William Gouldsmith.

Deed, March 10, 1666-67, Phillip Holleger conveying to Hendrick Freeman, planter, 50 acres at Sassafras River, adjoining Freeman's land, it being part of 100 acres bought by Holleger from Mr. William Fisher. Witnesses, Godfrey Bayley, John Collett.

Deed, March 4, 1668-69, Bartlett Hendrickson, planter, conveying to John Cocks the tract "None So Good in Finland," of 200 acres, on the southeast side of Back Creek, at Sassafras River. Witnesses, William Sturdmant, Daniell Sillvane.

Deed, June 3, 1669, Peter Jones, shopeman, conveying to John Glover, planter, the tract "Crock and Pill," of 250 acres, on the north side of Sassafras River. Witnesses, William Dunkerton, Hendrick Mason.

Deed, June 1, 1669, John Collett, gentleman, conveying to Richard Collens, smith, 100 acres on Black Island near Spesutia Island. Witnesses, Sam Collett, James Ives.

Deed, July 31, 1669, William Yorke, planter, and Elizabeth Yorke, both

of Gunpowder River, for 4,500 pounds of tobacco, conveying to Walter Mackenell and wife Jane the tract "Yorks Hope" of 200 acres in a deep bay on the north side of Gunpowder River. Witnesses, John Watterton, William Chapman.

Deed, August 3, 1669, Abraham Strand, planter, conveying to Oulle Mathiason, planter, land with 100 perches river front, on the north side of Sassafras River, opposite the end of land formerly taken up by Capt. Cornwallis. Witnesses, John Browning, Robert Sanders.

Deed, September 7, 1669, Henry Jones, carpenter, and wife Anna, conveying to Thomas Howell, gentleman and planter, 275 acres on the south side of Sassafras River a little within its mouth, and adjacent to land taken up by William Fisher. Witnesses, John Collett, Gideon Gundry.

Deed, September 7, 1669, George Willson, planter, conveying to Thomas Bostock, planter, land where Bostock now lives at a creek on the south side of Sassafras River, adjoining Willson's land, with condition that Bostock shall pay 100 pounds of tobacco yearly as rent for the "dwelling plantation." Witnesses, — almon, John Cock.

Personal note, November 1, 1669, by which Thomas Todd requests Mr. Bayley to acknowledge for him the sale of 50 acres to Richard Thurrell.

Deed, June 25, 1669, Thomas Todd, gentleman, conveying to Richard Thurrell, planter, for 400 pounds of tobacco, 50 acres on the south side of Back River, adjoining land formerly laid out for Thomas Thomas and William Batten. Witnesses, Robert Colles, George Yatts, Thomas Knighton.

Letter of attorney, November 1, 1669, John Dixon appointing Richard Thurrell his attorney to acknowledge sale of 300 acres to Richard Ellinsworth. No witnesses.

Deed, March 1, 1668-69, John Dixon conveying to Richard Ellinsworth the tract "Dixons Chance" of 300 acres at Duck Creek on the south side of Gunpowder River, adjoining land formerly taken up by John Taylor. Witnesses, John Roads, James Cogoll.

Letter of attorney, July 9, 1669, by which Francis, Henry, and Katherine Stockett, of The Ridge, Ann Arundell County, appoint Mr. Nathanill Stilles their attorney to acknowledge sale of the tract "Dolph" and adjoining island to Thomas Thurston. Witnesses, Richard Leake, Furgin Davison.

Deed, October 20, 1669, by which Francis and Henry Stockett, gentlemen, and Henry's wife Katherine convey to Thomas Thurston, merchant, 115 acres on Dolph Island, on the north side of the mouth of Rumley Creek. Witnesses, Henry White, Francis Christmas, Delmarus Sternbergs, John West.

Deed, October 20, 1669, by which Francis and Henry Stockett and Henry's wife Katherine convey to Thomas Thurston, merchant, the tract "Dolph" of 600 acres on the west side of Dolph Creek, opposite land formerly taken up by John Hatton. Witnesses, Henry White, Francis Christmas, Delmarus Starnbrigs, John West.

Deed, November 2, 1669, James Phillips, cooper, conveying to Chris-

topher Tapley, boatwright, and Francis Elling, planter, 100 acres at Lecigh Neck, on the north side of Possum Creek, south side of Bush River. Witnesses, Thomas Long, Robert Sanders.

Deed, November 2, 1669, Cornelius Petterson, planter, conveying to John Cock 150 acres on the southeast side of Back Creek on north side of Sassafras River, it being part of 300 acres taken up by said Petterson and Bartlett Hendrickson. Witnesses, Daniel Silvine, Joseph Hopkins.

Deed, September 7, 1669, Lodowick Williams, planter, conveying to Walter Tucker & Co., merchants, of England, the tract "Batchelors Hope" of 400 acres on the west side of a branch of Hunting Creek on the east side of Bush River, and also a tract of 50 acres at the mouth of Hunting Creek, adjoining William Orchard's tract "Chilberry". Witnesses, Gideon Gundry, William Dunkerton.

In another record liber called I. S. No. I. K. are a few added record items of these years. They came into the liber from an earlier book called I. C. No. A. which seems to have been a volume of court proceedings. The entries now appear on pages 28 to 33 of the existing liber, which dates probably from about the year 1717. The old book I. C. No. A. has disappeared.

Deed of gift, August 4, 1668, Richard Leake conveying to Welthen Suthward in life tenure a chamber and house room in his plantation home at Sassafras River, and also 100 acres from the west side of his plantation, separated by Fonn Island Creek, she having formerly been a good housekeeper hut now left poor and homeless by the absence of her husband. Witnesses, C. James, John James.

Bond and mortgage, February 18, 1667-68, Godfrey Bayley, with a bond of 20,000 pounds of tobacco, conveying to James Harris his plantation of 1,000 acres near the mouth of Sassafras River, between Capt. Thomas Howell's plantation and Mr. Bennett's creek, as security for payment of 9,600 pounds of tobacco to Harris or to his attorney Mr. John Hawkins. Witnesses, Cornelius Stenart, Robert Sanders.

Assignment, February 28, 1667-68, Mr. Edward Carter of Upper Norfolk County, Va., conveying to his brother-in-law, Mr. Joseph Hopkins of Baltimore County, 200 acres of land. Witnesses, Anna Place, William Salshury, David Sutherlys.

Letter of attorney, March 3, 1667-68, Edward Carter of Nansemm, Va., appointing William Salshury, late of Nansemm, his attorney to acknowledge in court the transfer to Carter's brother Joseph Hopkins of 200 acres on the eastern side of the Bay, bought by Carter from Mr. John Collett. Witnesses, Anna Place, David Southerlys.

Letter of attorney, January 8, 1669-69, Edward Webb, planter, of Bares Neck, appointing Capt. Thomas Howell his attorney to give to Thomas King possession of the tract "None Soe good finland" at Back River in Sassafras River. Signed by Edmund Wehh. Witnesses, Robert Farrer, William Lewis, John Cock.

Supplementary to the foregoing are some items from the Kent County records relating to a sale by a Kent County man to a Talbot County man, neither of whom seems to have thought it necessary to establish a record in Baltimore County, where the land was actually located.

Letter of attorney, January 28, 1667-68, Bridget Downes appointing her husband Henry Downes and Charles Steuard her attorneys to acknowledge in court her consent to her husband's sale of land at Elk River. Witnesses, Thomas Linsted, William Morgan.

Minute that on January 28, 1667-68, Henry Downes and Charles Steuard, as attorneys, acknowledge in court the consent of Bridget Downes to a sale of land to Obadiah Judkins of Talbot County.

Patent, September 15, 1665, by which Gov. Charles Calvert grants to Henry Downes, planter, the tract "Hay downe" of 300 acres on the south side of Captain John's Creek on south side of Elk River, between Goldsmith's Branch and Downe's Branch, and east of Cavelan's (?) land, now owned by James White, the grant being based on the transportation of Downes, his wife, James Dardon, Richard Whitten, Francis Sewell, and Richard Chapman.

Deed, ————, Henry Downes of Kent County, with consent of wife Bridget, for 2,400 pounds of tobacco, conveying to Obadiah Judkins of Talbot County the tract "Hay downe" of 300 acres at Elk River. (*Part of the deed record is now missing.*)

THE MURDOCK FAMILY OF MARYLAND AND VIRGINIA.

BY WILLIAM B. MARYE,

Chairman, Committee on Genealogy and Heraldry.

Among the genealogical papers of the late Wilson Miles Cary is a chart of the Murdock family of Maryland and Virginia (folder 68) and a bundle of notes representing chiefly researches which Mr. Cary made in England with a view to ascertaining the English origin of the family (researches which, by the way, were unfortunately unsuccessful). Mr. Cary's letters to his clients, several copies of which are contained in the bundle of notes, reveal the fact that he had not had an opportunity, or

perhaps had not been authorized, to make extensive researches in Maryland. To this fact may be attributed certain errors which I have been able to correct by extending my researches beyond the point which Mr. Cary reached.

The family history in America, so far as records have been found to prove it, begins with two brothers, John and Jeremiah Murdock. These brothers may possibly have been related to Alexander "Murdough," whose burial, on August 29, 1703, is recorded in the register of All Hallows, Anne Arundel County, Maryland.

There is on record in Prince George's County, Md., a deed bearing date November 13, 1714, by which John Murdock, of Prince George's County, Merchant, conveyed, as a gift, to his brother Jeremiah Murdock a certain piece of land on the west side of Patuxent River being part of a tract called "Padworth Farme." (Prince George's County, Md., Deeds, Liber E, folio 407.)

Part I. Murdock of Virginia

JEREMIAH MURDOCK witnessed the marriage certificate of Joseph Coleman and Mary Thomas, 1712. (Marriage Certificates, West River, Herring Creek and Indian Spring Monthly Meetings, p. 15.) At what time he settled in Virginia is not definitely known. He was a resident of Hanover Parish, King George County, in or before 1726. He was a Justice of the Peace of that county from 1728 until 1741. As he was styled "Major" in King George County records, it is likely that he held a commission in the county Militia. In 1739 "Josiah" Murdock was appointed High Sheriff of King George County. (*Virginia Historical Magazine*, XIV, 341.) No person of that name is known to have been a resident of King George County at that time, and it is almost certain that the recipient of this honor was Jeremiah Murdock, unless it was his son, Joseph Murdock, who received it. I have the impression that Major Jeremiah Murdock, who was a merchant, as well as an extensive planter, was interested in the Bristol Iron Works of King

George County. In this connection I note the fact that some of his lands lay on Iron Works Creek, others adjacent or near to the Bristol Furnace. His will reveals the fact that he was intimately acquainted with a family of Bristol merchants. It is worthy of note that there were Murdocks in Bristol. Mr. Cary discovered the fact, which seems highly significant, that in a prominent and wealthy family of Coventry merchants named Murdock, of the seventeenth century, the christian name of "Jeremiah" occurs. It is suggested, however, that search for the immediate English ancestor of the Maryland and Virginia Murdocks might be made in Bristol, after which, if successful, connections with Coventry might be found. It would appear probable that the will of the grandfather of Jeremiah Murdock is on record somewhere and that the "silver caudle cup" is mentioned in it as a bequest to the grandson.

JEREMIAH MURDOCK married Jane (or Jean), widow of one Chapman. In her will dated January 23, 1770, and proved in King George County the same year, Mrs. Murdock appointed her grandson, William Chapman, her executor, and mentioned also her granddaughter, Jean Chapman. A Thomas Chapman, of Stafford County is mentioned in 1706. (Stafford County, Va., Will Book 2, 1699-1709, p. 364.) On May 9, 1758, Joseph Murdock and Richard Hooe, gentlemen, gave bond to deliver certain goods to William Chapman, orphan of Taylor Chapman, deceased. (Stafford County, Va., Liber O, p. 345.) It would appear likely that Taylor Chapman, who died circa 1750 was the son of Mrs. Murdock by her former marriage.¹

JEREMIAH MURDOCK had issue (probably by wife Jane):

1. JOHN MURDOCK, probably eldest son. No particulars regarding him are available. Did he die s. p.?

¹ Among the Cary papers (Bundle 16) I find an abstract of the will of Taylor Chapman, of Overwharton Parish, Stafford County, Virginia, recorded on folio 80 of Liber —, 1748-1763, Stafford County Records. This will bears date 8 Nov., 1749, and was proved 13 February, 1750. The deceased left a widow, Margaret Chapman, two sons, William and Joseph Chapman, and a daughter, Jane Chapman.

2. JOSEPH MURDOCK, of whom presently.
3. "Peggy" (Margaret) Murdock. She married Colonel William Fauntleroy, of Richmond County (1713-1793).

The will of Major JEREMIAH MURDOCK of King George County, Virginia, bears date December 12, 1750, and was probated October 5, 1752. The testator bequeathed certain negroes to his wife, Jane Murdock. To his daughter, Peggy Fauntleroy, he bequeathed £100 and a negro. To his son, John Murdock, he left 527 acres on Occoquon, in Prince William County, bought of Thomas Stribling, a plantation of 200 acres in Orange County bought of Anthony Head, and a tract of 500 acres on Aquia Run in Stafford County bought of Captain Maximilian Robinson, also $\frac{1}{3}$ of his, the testator's negroes. In case the said John Murdock should die s. p. these lands, etc., were to go to the testator's son, Joseph Murdock, if certain conditions were complied with. To his son, Joseph Murdock, conditionally, the testator left the land he lived on and the land adjoining "in this neck" bought of Conway Wormley Kendall, also the land joining Joshua Farquharson's land and the Bristol Furnace purchased of one Conway (after decease of testator's wife), also 362 acres on Rappahannock River in Prince William County, also a plantation in Westmoreland County with land adjoining in King George County containing 600 acres, being the land purchased of Kendall, Hews, et al. The testator bequeathed to his "cousin" (nephew) William Murdock land in Maryland formerly sold to him for £70 and not yet paid for. To his son, Joseph Murdock, the testator left his "Silver spurs and the silver caudle cup that are now in the house *ye caudle cup being a piece of antiquity of my grandfathers and given me being the youngest child to keep in the family.* I am willing to perform the will and heartily desire particular care may be taken if possible to reserve it in ye family to succeeding generations." To Mr. John Scandrett, son of Mr. Charles Scandrett, Merchant in Bristol, England, the testator bequeathed £150 "as an acknowledgement many favors received from that family," and to Mrs. Sarah Scandrett, daughter of Mr. John

Scandrett, he left £75. He appointed his friend, Mr. Thomas Turner, executor.

JOSEPH MURDOCK (JEREMIAH) was commissioned captain of the lower company of foot soldiers, King George County, Va., Sept. 14, 1752 (Cary Papers, folder 68). He was a Justice of the Peace of King George County, Virginia, 1759, 1762, 1766, probably continuously. His will bears date 11 October, 1769, and was proved in King George County March 1, 1770. The testator appointed Captain Edward Dixon, John Skinker and George Tankersley, gentlemen, his executors. He mentioned his children John, William, Sally (Sarah), Nelly and Jeany (Jean or Jane) Murdock. No abstract of this will is available to the present writer. The above information regarding it is taken from the Cary papers. Joseph Murdock married Mary Tankersley, who survived him and died in 1784. Her will bears date 5 October, 1783. It was proved (Cary Papers, folders 68) in King George County June 3, 1784. The testatrix mentions her sons, John and William, and her daughters, Sarah Riding and Jane Spencer. According to the tax list of 1782, Mary Murdock had 800 acres in King George County in that year. No other Murdock is listed as a landowner in the county. The family lands seem to have dwindled considerably.

JOSEPH and MARY (TANKERSLEY) MURDOCK had issue:

1. JOHN MURDOCK. He probably died s. p.
2. WILLIAM MURDOCK. Living in 1824. Issue, if any, unknown to the present writer.
3. SARAH MURDOCK. She married — Riding and probably died s. p.
4. JANE MURDOCK. She married Lieut. William Spencer.
5. JOANNA MURDOCK. Mr. Cary's notes contain no mention of her. She married, in 1792 (Marriage Bond, King George County, Va.) William Storke Jett, Esq. (1763-1844), of "Walnut Hill," near Leedstown, Westmoreland County, Virginia. By him, she had issue a son, William Storke Jett, Jr., Captain, U. S. A., in the War of 1812, whose portrait, in uniform, formerly hung at "Walnut Hill," but was subsequently lost. I believe that he died s. p. He had a sister, I believe, of full blood, Elizabeth Jett, who married (in 1809) George Ashton by whom she had a daughter, Joanna Ashton, living in 1843. William Storke Jett married (2nd) Jane

Turner (d. May, 1819) a cousin of his first wife and daughter of Colonel Thomas Turner of "Smith's Mount," Westmoreland County, Va., and "Walsingham," King George County, and Jane his first wife, daughter of Colonel William and Peggy (Murdock) Fauntleroy.

The following record, while I quote from Burgess's "Virginia Soldiers of 1776" (Vol. 1, p. 319) establishes the identity of Joanna Murdock, who married William Storke Jett:

"William Murdock who was joint heir at law with his sister Joanna Jett, of his sister, Jane Spencer, who was the relict and heir at law of Lieutenant William Spencer, who died intestate. The said Jane Spencer having also died intestate, Warrant No. 6628 was issued to the above named heirs at law, 1333 $\frac{1}{3}$ acres to William Murdock as his moiety of 2660 $\frac{2}{3}$ due to the representatives of William Spencer in part consideration of the said Spencer's services as Lieut. in the Continental Line. Issued July 26, 1824."

The "Silver Caudle Cup."

This heirloom, as noted above, was mentioned in the will of Major Jeremiah Murdock as a "piece of antiquity," which had belonged to his grandfather. If still in existence it would be a very valuable family relic indeed. It probably bore the family arms. We are informed that it was given to Jeremiah Murdock "being the youngest child." He bequeathed it to his son, Joseph Murdock, and it was his desire that it should be handed down in the family, probably from youngest child to youngest child. It is not improbable that Joanna Murdock was a posthumous daughter and therefore the youngest child of her parents. In the will of Colonel John Skinker, of King George County, who was one of Joseph Murdock's executors, the testator bequeathed to Miss Joanna Murdock the "gold watch and *silver cup*" he "bought of her father's estate." This will bears date January 19, 1784. In the will of William Storke Jett, dated March 1, 1843, the testator bequeathed to his granddaughter, Joanna Ashton, (who seems to have been the only living descendant of his first wife) "my silver ladle that was

her grandmother's," but no mention seems to have been made of a silver cup. It is possible, however, that it may still be in the possession of descendants of the Murdock family.

Part II. Murdock of Maryland

Captain JOHN MURDOCK, brother of Major Jeremiah Murdock of Virginia, settled in Maryland, in Prince George's County, either in the last years of the seventeenth or the first years of the eighteenth century. "Murdock's Addition," adjoining "Essenton," was surveyed for him 26 March, 1703. At a date not ascertained he acquired 233 acres of a tract on Patuxent River called "Padworth Farm," out of which, on November 13, 1714, as heretofore noted, he made a deed of gift to his aforesaid brother, who in his will left it back to his nephew, William Murdock. On April 5, 1721, John Murdock acquired from Richard Taylor the residue of "Padworth Farm," 267 acres. He also owned parts of "Londoe" and "Darby," also 479 acres part of "Essenton" purchased at various times. Captain Murdock styled himself a "Merchant." He died intestate at a date not ascertained.

JOHN MURDOCK married Katherine Barton, daughter of Colonel William Barton, Jr., (1662-1705) and Sarah his wife (married 3rd Colonel James Haddock) widow of Basil Waring and daughter of Richard Marsham (d. 1713) by Katherine ——— his first wife.

JOHN MURDOCK had issue, probably by Katherine Barton,²

² The author has mislaid his notes relative to the marriage of John Murdock and Katherine Barton. On the chart of Miss Rosa Steele, a member of Chapter I, Colonial Dames of America, I have made it appear that William Murdock was the son of Katherine Barton, and it is not improbable that when the chart was made I had more evidence for this belief than I have at present; but Richard Marsham in his will proved in 1713, refers to William Murdock, son of John Murdock, as his "kinsman," a rather singular way of designating a great grandson. On the other hand William Murdock signed the inventory of the estate of Marshall Waring (1732) as one of the "next of kin," and there is a recorded tradition in the Murdock family that a direct ancestor married a Barton.

William Murdock, his heir at law (only son?). William Murdock was born in Prince George's County, Md., in 1710 or thereabouts. In a deposition taken in 1744 he gave his age as forty-four. (Chancery Record, I. R. No. 4, p. 564) He died October 17, 1769, at his seat near Queen Anne's, Prince George's County. Obituaries appeared in the *Annapolis Gazette* and in the *Gentleman's Magazine*, London. According to a "debt-book" of Prince George's County, bearing date 1753, Mr. Murdock was then in possession of 2662 acres of land in the county, including the whole of "Padworth Farm." William Murdock was High Sheriff of Prince George's County in 1740. He served as a burgess for that county from 1749 until his death in 1769.

WILLIAM MURDOCK married (1st) Anne Addison, daughter of Colonel John Addison of "Oxon Hill," Prince George's County. Mrs. Murdock died October 25, 1753. William Murdock married (2nd) January 1, 1757, Margaret Dulany, widow of Dr. Alexander Hamilton, of Annapolis, and daughter of Daniel Dulany the younger (Cary Papers, folder 68).

By his first wife, Anne Addison, WILLIAM MURDOCK had issue (Cary Papers, folder 68):

1. JOHN MURDOCK, born 10 February, 1729 (died in infancy).
2. ADDISON MURDOCK, born 31 July, 1731 (s. p.).
3. JOHN MURDOCK (Colonel JOHN MURDOCK) born 10 May, 1733.
4. ANNE MURDOCK. She married Rev. Clement Brooke.
5. CATHERINE MURDOCK. She married Major Patrick Sim and died Nov. 29, 1771.
6. ELEANOR MURDOCK. She married Benjamin Hall.
7. MARY MURDOCK. Died unmarried.

By his second wife, Margaret Dulany, WILLIAM MURDOCK had issue:

1. REBECCA MURDOCK, who married Anthony Addison.

It would appear that all descendants of William Murdock who bear the name of Murdock are descended from his son, Colonel John Murdock.

The Reverend George Murdock

Tradition seems to be positive in asserting that the Reverend GEORGE MURDOCK and Captain John Murdock were very closely

related. Mr. Cary was of the opinion that the former was the son of the latter. If this be true, George Murdock was not the child of Katherine Barton, but of an earlier wife. Mr. Cary records the tradition that George Murdock was ninety years old when he died.. This tradition is probably erroneous, because, if true, Mr. Murdock was over fifty years old when he was ordained. Another argument against the theory that he was the son of John Murdock is that William Murdock, because he fell heir to his father's land, must have been his father's eldest son, but George could not have been younger than William.

GEORGE MURDOCK was ordained a deacon in London on February 20, 1724. His first parish in America was Saint James Northam, Goochand County, Virginia. On December 26, 1726, he was appointed Rector of Prince George's Parish. Prince George's County, Md. (Rock Creek.) His will bears date 14 May, 1760, and was proved 14 March, 1761. In it he mentions his son, William Murdock, and his grandsons George, William, George Beale Murdock and Elisha Murdock. (Cary Papers, folder 68.) Mr. Cary was of the opinion that, in addition to his son William, he had a son Benjamin Murdock. According to Mr. Cary, the Reverend George Murdock married, circa 1728-9, Eleanor Sprigg, daughter of Thomas Sprigg (d. 1705) and widow of (1) John Nuthall and (2) Thomas Hillary. It does not appear possible that she was the mother of his children, but the identity of former or of later wives, if there were any, is unknown.

The author of this article desires again to call attention to the fact that Mr. Cary, whose ability and accuracy need no praise, did not have the opportunity to make extensive searches on the Murdock family in Maryland and Virginia records. To this fact maybe attributed any errors which he may have made. Full credit should be given to him for what he did accomplish.

CENSUS OF DEPTFORD HUNDRED OR FELL'S POINT,
1776.

IN CONGRESS, DECEMBER 26, 1775.

Resolved, That it be recommended to the several Assemblies, Conventions, Councils or Committees of Safety of the respective Colonies, to ascertain, by the most impartial and effectual Means in their Power, the Number of Inhabitants in each respective Colony; taking Care that the Lists be authenticated by the Oaths of the several Persons who shall be intrusted with this Service. And that the said Assemblies, Conventions, Councils, or Committees of Safety, do respectively, lay before this Congress, a Return of the Number of Inhabitants of their respective Colonies, as soon as the same shall be procured.

Extract from the Minutes,

Charles Thomson, Sec'ry.

In Council of Safety, Annapolis, June 28, 1776.

Gentlemen,

We inclose you a Resolution of Congress, desiring a compleat List of the Number of Inhabitants in each Colony. We request you will appoint some Persons in your County, for taking the Number of Inhabitants therein, both Whites and Blacks, distinguishing respectively, the Age and Sex of each; and shall be obliged if you will transmit it to us as soon as it is returned to you—We will pay any Expence that may arise in employing Persons to comply with this request.

We are Gentlemen, Your Humble Servants

Charles Carroll, V. P.

To the Committee of Observation
for Baltimore County.

To effect the Purpose contained in the above Resolve of Congress, the Committee of Baltimore County have appointed Per-

sons to take the Number of Inhabitants in each Hundred of said County, in the following Manner, who are to make their Return on Oath, as soon as possible, to this Committee.

By Order of Committee,

Samuel Purviance, Chairman.

Whites

George Patterson	Rowland McQuillen
Capt ⁿ Elijah Lucas	Ann Kelly
Joseph Cheston	Jemima Creggett
William Davis	John Ziglar
William Hays	William Holton
Mr ^s Nelson	Henry Evans
Henry Bride	William Hammond
Thomas Mills	Mr ^s Moltan
John Beard	George Robinson
William Barker	Handy Tull
Mr ^s Button	Ann Yeoman
Mr ^s Vanbibber	Robert Kirkly
Simon Burnes	Philip Smith
Rob ^t Forsyth	Arthur Kirk
William Jacobs	William Scarff
Thomas Bagwell	Elizabeth Lively
Soloman Bright	Joseph Robass Rogers
Sophia Gaghin	Winney McCrackin
Mr ^s Hinson	Michael Foy
Abraham Jackson	Thomas Meeting
Robert Mowbery	James Beard
John Morrison	John Cattle
Margarett Brynham	John Burne
Brittingham Dickerson	John Gibbins
Isaac V. Bibber	Thomas Malone
Ann Murphey	John Vandevort
William Johnson	Doct ^r Colter
Spencer Kelly	Christopher Burningham
Thomas Gray	James Anderson

Jacob Dawson	John Smith
James Bennett	Eleanor Garvin
Mrs Dunbarr	Frances Peters
William Gozlin	Ann Simmons
Patrick Hannon	Edward Kerns
Christian Waskey	George James
Aquillar Johns	John Pine
Elizabeth Kelly	Mary Connier
Margeritt Fowlar	John Hayman
Silvanus Merrill	Thomas Connerly
Fargus Maccleroy	William Trimble
Ann Houton	James Conner
Joel Hickingbottom	Isaac Brown
Henry Lawrence	John Wales
Charles Chamberland	Thomas Elliott
Hugh Farrell	Elizabeth Aulenn
George Lowderman	George Wells
Charles Lovitt	Isaac Hall
Elizabeth Wood	Robert Evans
Elizabeth Maloy	Samuel Burless
Mary Alexander	Jane Burks
Ruth Moaks	Ann Larkin
Judah Cammell	Richard Allin
Henry Elliss	Thomas Craton
Alexander Luth	Sam ^l Sollars
Ann Simpson	Robert Evans
John Shine	Thomas Morriss
Lucey Ferguson	Thomas Breerton
Ann Reese	Isaac Grist
Elizabeth Easterley	William Tinker
Mary Peterkin	James Kingsbeary
William Williams	Richard Clarks
Abraham Gorman	John Lees
Martin Judey	Samuel Durham
George Helms	Jacob Raybolt
Henry Bert	William Frazeer
Jesse Wilson	Basil Lucas

Jesse Hollingsworth	Robert Wilson
William Nuckle	Christian Reese
Arch ^d McBride	Abra ^m Enloes
Thomas Wilkins	James Hill
James Curtin	James Morgan
Mr Drew (Ship Wright)	William Smith Esq ^r
Mary Armstrong	James Rouse
White freemen	222
Women	187
Boys	128
Girls	138
	— 675
Serv ^{ts}	
Men	51
Women	15
Boys	6
Girls	2
	— 74
	— 749
Negroe	
Men	23
Women	14
Boys	15
Girls	13
	— 65
Free Negroes & Molattoes	
Men	3
Women	4
	— 7
	— 821
Total Amount.	
146 Housekeepers.	

True List of the Inhabitants in Deptford Hundred taken the
23^d day of August 1776 by

Willm Aisquith

On the 3^d day of September 1776 William Aisquith made Oath on the holy Evangelist of Almighty God, That the foregoing is a True List of the Inhabitants in Deptford Hundred at Fells Point in Baltimore County to the best of his Knowledge.

Sworn before me

Sam^l Purviance Jun^r Chair^m Com.

Census of
Deptford Hundred
or Fells Point
1776

THE LINTHICUM FAMILY OF ANNE ARUNDEL CO. MARYLAND, AND BRANCHES

THOMAS LINTHICUM, the emigrant (probably from Wales, as the name represents a section in Wales, called the Valley of the Lindens), came over with Captain Edward Selby, at the same time as William Warren, Robert Bennett, Eleanor Mathews, in 1658. Eleanor Mathews married Captain Edward Selby. Thomas settled on West River in Anne Arundel County. Captain Selby received warrants for 300 acres of land for transporting these emigrants to Maryland. Thomas Linthicum joined the Friends' Church at West River, and was a member of the men's monthly meeting. At one of these meetings at Thomas Hooker's house, in 1682, he compared these meetings "like a jury meeting," was tried and censured. He and his wife had given 1,000 pounds of tobacco to the yearly meeting. He demanded the return of the tobacco, which was paid December 4, 1784 from William Richardson's tobacco house. He was granted in 1677, Lincecomb Stopp of 50 acres. In 1679, was granted Lincecomb Lott of 75 acres.

Thomas was born in 1640 and died November 12, 1701. Married Jane who survived him.

ISSUE:

Hezekiah, who married Milcah Francis.

Mary, who married Richard Snowden.

Jane, who married Thomas Rutland.

Thomas (2), who married Deborah Wayman.

Each of above issues to follow.

HEZEKIAH LINTHICUM, son of Thomas (1) and wife Jane, was born —, will February 4, 1721-2. He married October 5, 1699 Milcah Francis, born November 14, 1666, buried December 22, 1721, daughter of Thomas Francis of Rhoda River 1657, and wife Ruth. Hezekiah is mentioned in his father's will of 1701.

ISSUE:

- (1) Mary Linthicum, born January 20, 1700, died —, married November 13, 1716.

Edmond Wayman, born May 22, 1699, baptized November 1, 1703, son of Leonard.

Wayman, who died 1721, and wife Dorcus Abbot.

Issue to follow.

- (2) Francis Linthicum (1), son of Hezekiah and Milcah, was born September 29, 1709, will August 7, 1765. Married October 5, 1732, Eleanor Williams, baptized June 9, 1717, daughter of Richard Williams who married February 14, 1709, Eleanor Stockett, born December 8, 1693. Eleanor was the daughter of Thomas Stockett and wife Mary.
- (3) Thomas Francis Linthicum, son of Hezekiah and Milcah, born February 13, 1716, baptized May 22, 1722, will August 12, 1790. Married Elizabeth Williams, born May 1, 1724.

Issue:

Richard Linthicum, born February 2, 1745, died 1759.

- (4) Hezekiah (2), born September 12, 1722.

No record.

MARY LINTHICUM, daughter of Hezekiah and wife Milcah Francis, born January 20, 1700. Married November 13, 1716, Edmond Wayman, son of Leonard and Dorcas, mentioned in his father's will of March 16, 1720-21. He owned Orgenwood Thicket, 200 acres, on Patuxent River. Surveyed January 26, 1688. Transferred to son Edmond and wife September 15, 1718.

ISSUE:

- (1) Hezekiah Wayman, born —, died January 13, 1747.

- (2) Ann Wayman, died October 26, 1750.
- (3) Mary Wayman, died 1756.
- (4) Edmond Wayman, born December 1, 1721.
- (5) John Wayman, died July 9, 1765.

FRANCIS LINTHICUM, son of Hezekiah and Milcah, and wife Eleanor Williams.

ISSUE:

- (1) Francis Linthicum, born May 8, 1734, died 1765. Married January 28, 1755, Mary Mayo, born July 20, 1740, daughter of Joseph Mayo and wife Sarah. Joseph Mayo was the son of Joshua of South River, who married, 1707, Hannah Learson.

Issue: Eight children. The youngest, Joshua, married Elizabeth Beard.

- (2) Micah Linthicum, daughter of Francis and Eleanor Williams. Born November 21, 1735, married Thomas Wayman.

Issue:

- Eleanor, born August 6, 1752.
- Francis, born February 11, 1753.
- Edmond, born March 3, 1757.
- (3) Eleanor Linthicum, daughter of Francis and wife Eleanor, born February 23, 1737-8, married — Clark.
- (4) Thomas Linthicum, son of Francis and Eleanor, born August 29, 1743, married 1764, Cassandra of Dorchester.
- (5) Mary Linthicum, daughter of Francis and Eleanor, born July 15, 1746. Mentioned in her father's will of 1765.
- (6) Francis Linthicum, daughter of Francis and Eleanor, born November 20, 1749. Mentioned in her father's will of 1765.
- (7) Richard Linthicum, son of Francis and Eleanor, born April 12, 1752. Married November 25, 1778, to Mary Lee of Dorchester Co.
- (8) Jane Linthicum, daughter of Francis and Eleanor, born April 22, 1755. Not mentioned in her father's will.

MARY LINTHICUM, eldest daughter of Thomas (1) and wife Jane, born 1670, died after 1717, married before 1690, Richard Snowden (3), born 1666, died 1720-3, son of Richard Snowden (2), born 1640, buried May 20, 1711, married Elizabeth (Gross). Richard was the son of the emigrant Captain Richard Snowden (1), of Wales, here in 1679.

CAPTAIN RICHARD SNOWDEN of South River, born in Birmingham, England, was known as Lord of Snowden Manor, as he appears in Lord Baltimore Rent Roll, May 20, 1711. Mar-

ried first, Deborah Abbot, daughter of William and Magdella Abbot. Second wife, Elizabeth Green, daughter of Roger Green.

CAPTAIN RICHARD SNOWDEN (3), born 1666, died 1723, was Captain in provincial troops. Married Mary Linthicum.

Issue: Mary Linthicum and Richard Snowden (3).

- (1) Thomas Snowden, buried July 2, 1704.
- (2) Richard Snowden, born December 28, 1698, died 1763. Married 1st, May 19, 1707, Elizabeth Coale, born December 5, 1692, died 1713, daughter of William Coale, born October 20, 1667, died 1715, married widow Elizabeth Sparrow Coale July 30, 1689. Richard's 2nd wife, December 19, 1717, Elizabeth Thomas, born December 28, 1698, died August 1775, daughter of Samuel Thomas and wife Mary (Hutchinson).

Issue: by first wife (Elizabeth Coale).

Deborah Snowden, married James Brooks.

Eliza Snowden, married John Thomas.

Mary Snowden, married Samuel Thomas.

All moved to Sandy Springs, Montgomery County.

Issue: by second wife (Elizabeth Thomas).

Richard Snowden, born 1719-20, died 1753, married October 13, 1748, Elizabeth Crawley, born 1728.

JANE LINTHICUM, 2nd daughter of Thomas (1) and Jane, his wife, was born —, died —, married Thomas Rutland January 13, 1695, born 1664, buried December 14, 1731. He lived at South River.

Issue:

- (1) Elizabeth Rutland, born January 22, 1696, died March 15, 1707.
- (2) Jane Rutland, born 1698, married December 18, 1715, Joseph Brewer.
- (3) Mary Rutland, born 1699, buried January 19, 1721-22, married January 30, 1717, Thomas Sappington, born —, died February 18, 1721-22.

Issue: Mary Rutland and husband Thomas Sappington.

Thomas Sappington, baptized January 9, 1721, married Frances Brown.

- (4) Ann Rutland, born 1701, married March 1, 1719, Leonard Wayman, born April 22, 1699, baptized April 11, 1707, son of Leonard Wayman and Dorcus, baptized November 1, 1703. Leonard was the son of Leonard Sr., died October 16, 1697.

Issue: Leonard and Ann Rutland.

Leonard, baptized March 12, 1726.

Jane, baptized March 12, 1726.

- (5) Thomas Rutland (2), son of Thomas (1) and wife Jane Linthicum, was born 1703, died October 4, 1773-4, married Anne Dorsey, born ———, will August 25, 1773.

Issue:

Thomas Rutland (3), born September 29, 1765, will of 1790, married Anne Beale, daughter of John Beale and Elizabeth Norwood. His wife, Elizabeth Norwood was a daughter of Captain John Norwood and Elizabeth Howard. Elizabeth Howard was the daughter of Cornelius Howard and wife Elizabeth, executrix, will of April 15, 1680.

Issue: Thomas Rutland (3) and Anne Beale.

Margaret.

Elizabeth.

Thomas.

- (6) Elizabeth Rutland, born ———, died ———, married January 12, 1730, Stephen Stewart, born December 28, 1699, died January 28, 1742. Stephen was the son of Robert Stewart, will March 8, 1738-39, married January 26, 1699, Susan Watts, buried November 16, 1733. Robert Stewart was the son of David Stewart, born 1616, died October 20, 1696 and married Margaret Beviae, who died November 8, 1700.

THOMAS LINTHICUM (2), son of Thomas (1) and wife Jane, was born October 31, 1674, died May 29, 1741, married Deborah Wayman June 22, 1698, daughter of Leonard Wayman and Dorcus Abbott. He owned Morley Gray of 150 acres and Davis Rest of 200 acres. Deborah is mentioned in her father's will of 1721. Thomas (2) had grants of Town Hall, 400 acres, and Linthicum Walk, in 1716.

Issue:

- (1) Dorcas Linthicum, born August 15, 1700, died ———, license to marry Francis Hardesty, February 4, 1717.
 (2) Thomas Linthicum (3), born September 28, 1701, died ———, married Sarah Burton, September 28, 1724. Sarah was born November 17, 1706.

Issue: Thomas and Sarah Burton.

Thomas Linthicum, born June 11, 1725.

Joseph Linthicum, born April 30, 1727.

Burton Linthicum, 173—, will January 4, 1762.

Hezekiah Linthicum.

Asual Linthicum, married Lydia Andrews.

Deborah Linthicum.

- (3) Mary Linthicum, daughter of Thomas and Deborah, born August 29, 1703, died ———, married October 6, 1724 John Fowler.

- (4) Leonard Linthicum, son of Thomas and Deborah, born August 5, 1705, buried March 6, 1731, married ———.
- (5) Deborah Linthicum, daughter of Thomas and Deborah, born September 11, 1707, married January 2, 1726-7, John Jones.
- (6) Gideon Linthicum, son of Thomas and Deborah, born February 15, 1709, died ———, married 1737, widow Jane Ford, died 1770.
- (7) Ann Linthicum, daughter of Thomas and Deborah, born May 11, 1711, died ———.
- (8) Elizabeth Linthicum, daughter of Thomas and Deborah, born August 30, 1714, died ———.
- (9) Ruth Linthicum, daughter of Thomas and Deborah, born February 5, 1718, died ———.
- (10) Edmond Linthicum, son of Thomas and Deborah, born March 30, 1720, will April 11, 1764, married Elizabeth.

Issue:

Thomas Linthicum, died 1778.

Edmond Linthicum, will April 11, 1764.

- (11) Hezekiah Linthicum, schoolmaster, son of Thomas and Deborah, born November 7, 1723, died ———, married Sarah Bateman, born May 11, 1713, died 1778. Sarah was the daughter of Henry Bateman who married December 22, 1707 Sarah Powell.
- (Most of the eleven children of Thomas and Deborah were living in 1741.)

Issue: Hezekiah and wife Sarah Bateman:

1. Rachel Linthicum, born ———, died 1767.
2. Elizabeth Linthicum, born ———, died ———, married William Bateman.
3. John Linthicum, born ———, died ———.
4. Archibald Linthicum, born ———, died infancy.
5. Slingsby Linthicum, born ———, died June 28, 1848, first wife Mary Griffith, second wife Mrs. Dorsey.
6. Abner Linthicum, born July 7, 1763, died February 19, 1847, married Baltimore County license, January 3, 1791, first Rachel Jacobs, second wife, December 2, 1828, widow Elizabeth Pitcher, died 1839, whose only child Eugene, died at 4 years of age. Issue to follow: first wife, Rachel Jacobs.
7. Margaret Linthicum, born ———, died ———.
8. Amasa Linthicum, born ———, died ———, married October 13, 1790, Sarah Johnson.

ABNER LINTHICUM, 6th child of Hezekiah and wife Sarah Bateman, was a member of Maryland Legislature during 1812-1826, was Captain in 22nd Regiment, 1809, war of 1812. Married January 3, 1791, Rachel Jacobs 17—, died 1821, daughter of Richard Jacobs, born August 22, 1730, died 1805, will 1802, married Hannah ——— who died August 8, 1806.

He was the son of Richard Jacobs, Sr., born January 30, 1697-8, will November 8, 1777, married January 1, 1718 Hannah Howard, born 1707, died May 1, 1730. Richard Jacobs (1) was the son of John Jacobs, born in Dover, England 1629, buried October 29, 1726, married March 1, 1675 Anne Cheney, baptized 1666, buried 1720. She was the daughter of Richard Cheney and wife Eleanor, Patentee 1663, living 1685, will 1686.

Captain John Jacobs, emigrant, of Anne Arundel County, born Dover, England 1629, came to America 1665, died 1705. In addition to grants in Anne Arundel County, given him by the King of England, he bought large tracts, and became a tobacco planter. He was the son of John Jacobs, gent., of Dover, Kent, born 1560, died 1627, married in Canterbury in 1587, Joan Lucas, daughter of the Mayor of Canterbury, 1574.

Hannah Howard was the daughter of Joseph Howard who died 1736. Joseph Howard was the son of Captain Cornelius Howard, born in Great Britain, 1635, died 1680. Cornelius came to Severn River from Norfolk, Va., with the Puritan Exodus, 1650-58, commissioned Ensign under Captain Benson, Burgess 1671-1676, Justice Peace 1679.

Reference: Maryland Archives, Vol. 3, p. 444, Vol. 2, p. 239.

ISSUE: Abner Linthicum and Rachel Jacobs.

- (1) Amasa Linthicum, born November 11, 1791, died October 9, 1810.
- (2) Richard Linthicum, born July 22, 1793, died October 15, 1842, blown up in ship Medora. Married first wife February 29, 1816 Anne Robinson, born January 9, 1797, died September 3, 1837; second wife Susan C. Lockerman, in May 8, 1838.
- (3) Abner Linthicum, Jr., born May 18, 1796, died September 13 or October 14, 1845, married first January 3, 1820 Rachel Stewart, born April 4, 1800, died May 28, 1839; second wife, married March 20, 1842 Mary Bryan.
- (4) William Linthicum, born March 21, 1798, died August 27, 1866, married November 20, 1823, Elizabeth Sweetser, born August 23, 1800, died December 22, 1875. Issue following.
- (5) Hezekiah Linthicum, born June 15, 1801, died June 11, 1891, married April 20, 1825 Matilda Phillips.
- (6) Thomas Linthicum, born October 12, 1804, died October 4, 1822.
- (7) Sarah Linthicum, born December 5, 1809, died December 5, 1882, married January 4, 1829 William Shipley.

Had 11 children.

WILLIAM LINTHICUM (son of Abner and Rachel), married Elizabeth Sweetser, daughter of Seth Sweetser, born June 5, 1762, died 1828, and Ann Valient of Anne Arundel Co., Janu-

ary 9, 1790. Seth Sweetser built the bridge at Annapolis across the River Patapsco, called Sweetser Bridge. Seth was the son of Phineaus, born September 10, 1718, died September 24, 1764, of Stoneham, Mass., who married Mary Rhodes, born March 4, 1727, died 1780, of Lynn, Mass. She was the granddaughter of Rofer William the great Preacher and Leader.

Charts showing these two families for several generations preceding are in the possession of Dr. G. Milton Linthicum of Baltimore.

ISSUE: William Linthicum and Elizabeth Sweetser.

- (1) Sweetser Linthicum, born September 10, 1824, died March 29, 1905, married March 4, 1847 Laura E. Smith, born January 18, 1829, died August 13, 1910, daughter of James Hawkins Smith, born December 17, 1778, died December 30, 1836, married Nancy Smith, born October 2, 1800, died June 2, 1881.
- (2) Anne Linthicum, born July 20, 1826, died ———, married first, Thomas C. Pitcher, died October 10, 1819; second Phinpenny.
- (3) William Abner Linthicum, born April 13, 1828, died 1916, married February 8, 1853, Elizabeth Mulliken.
- (4) Dr. Asa Shinn Linthicum, born February 4, 1831, died ———, married first, June 30, 1857, Ella Conoway; second, August 1, 1866, Nettie Crane.
- (5) Samuel S. Linthicum, born February 19, 1833, died ———, married Mary Walker.
- (6) Eleanor Linthicum, born February 22, 1835, died January 20, 1911, married first Henry Thomas, second Mordica Smith.
- (7) Mary Elizabeth, born April 23, 1837, married William Brian.
- (8) Victoria Linthicum, born December 23, 1840, died age 18, August 11, 1857.

Sweetser Linthicum, wife Laura E. Smith, was the son of William and Elizabeth Sweetser Linthicum. Laura Ellen Smith was the daughter of James Hawkins Smith, born December 17, 1708, died December 30, 1836, and wife Nancy Smith, born October 2, 1800, died June 2, 1881. James Hawkins Smith was the son of Sebritt Smith and Mary Hawk. Nancy Smith was the daughter of Patrick Smith, born December 23, 1760, died August 30, 1823 and Nancy Bishop, born January 16, 1773, died July 16, 1860. Sebritt Smith was Private, 22nd. Regiment, in Captain Linthicum's Company, War 1812.

In the list of recruits raised in Montgomery County to make good her quota in Continental Army 1780, among the first 30 members is Patrick Smith, number 23 on the list.

Ref.: Vol. 18, *Maryland Archives*, pp. 342-627.

ISSUE: Sweetser Linthicum and wife Laura Smith Linthicum.

- (1) Elizabeth V. Linthicum, born December 17, 1847, married March 9, 1869, Joseph K. Benson.
- (2) James S. Linthicum, born September 19, 1850, died June 12, 1912, married June 2, 1874 Sarah McClellan.
- (3) Annie S. Linthicum, born December 17, 1853, married September 24, 1874 Luther Shipley, died February 11, 1923.
- (4) William Linthicum, born October 16, 1856, married October 26, 1881 Adele Knight.
- (5) Dr. Asa Shinn Linthicum, born November 28, 1859, died January 4, 1897, married Iola Benson.
- (6) Sweetser Linthicum, Jr., born July 4, 1862, married November 20, 1888, Sarah Crisp.
- (7) Victoria Linthicum, born April 17, 1865, died April 11, 1867.
- (8) J. Charles Linthicum, born November 26, 1867, married March 9, 1898 Mrs. Helen Clark. Many years a distinguished member of Congress.
- (9) Dr. G. Milton Linthicum, born August 17, 1870, married April 12, 1898 Lillian N. Howland. A prominent Surgeon, Professor of College 1895-1907; Vice-President, Medical and Chirurgical Faculty 1908-09, President 1909-10; National Guard, Mexican War; Medical Corps of World War, Lieut.-Col. 1917-19.
- (10) Seth N. Linthicum, born July 26, 1873, married November 22, 1910 Mary Perkins.
- (11) Wade Hampton Linthicum, born February 14, 1876, married Delmar Brown.

Sweetser Linthicum and wife, Laura Smith Linthicum celebrated their fifty-fifth anniversary at the home of their son, Dr. G. Milton Linthicum, in 1902.

LINTHICUMS WHO MOVED TO MONTGOMERY COUNTY.

- 1798 Sally, daughter of Thomas and Ann.
- 1799 Ann (Magruder), daughter of John and Priscilla.
- 1800 Ruth, daughter of Thomas and Ann.
- 1800 Ann, wife of Zachariah.
- 1802 Sarah, daughter of John and Priscilla.
- 1802 Phil McElfresh, son of Frederick and Rachel
- 1803 Priscilla, daughter of Thomas and Ann.
- 1803 Lydia Griffith, daughter of Frederick and Rachel.
- 1805 Sarah Pitcher.

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Colonial Families of America, Vol. 3, pp. 291, for Snowden family.

The British Invasion of Maryland, by Marine.

EXTRACTS FROM ACCOUNT AND LETTER BOOKS OF DR. CHARLES CARROLL, OF ANNAPOLIS.

(Continued from Vol. XXV, p. 76.)

Maryland Feb. 2^d 1753

Dear Charles

Having an opportunity I could not omit letting you here from me, your Brother is returned from Philadelphia, has made good Progress in what he went to learn Surveying and Book keeping as I before advised I think to Settle him at Patapsco to build a Merchant Mill there; and make it a Center for my Business, to have Taylor Shoemakers and other Supplies for my Quarters there under his Care and Management and allow him one Moiety of any Profits arising which I hope may turn to advantage to us both as I propose baking Ship Bread there with other Business. I have discovered on the East Side of the mountains, about Sixty Miles from my Plantation at Patapsco a very good appearance of Iron ore convenient to a Stream of water suitable for a Furnace and great Body of wood for Coal and Have taken up the same with about Three Thousand Acres of Land as I Can Three or four Thousand more if needful, Twelve Miles nearer Patapsco upon a very fine Stream of Water, I have taken up Six Thous^d acres more of wooded Land with good Streams of Water which is a very suitable place for a Forge, I think will answer I have also Settled a Quarter Between the place for a Forge and Patapsco. This is a Scheme I have If I can be enabled to put itt in Execution, which nothing but the want of Six or Seven Hundred Pounds a

Year for four or five Years is wanting and which in the like Term I would discharge, and would risk my Estate for the Perfecting thereof, it being so plain that nothing but the Greatest Misfortunes could prevent turning out to Advantage.

I have many suitable Trademen and other Conveniencys of my own, to prosecute the Thing, but Cannot with any Certainty propose doing it without the above sum to bring it to perfection, which I could Certainly do in four Years and be able the Fifth to send an Hundred Ton of Bar Iron to Market which if sold according to the Value could not be less than Sixteen pounds £ Ton or if it Cleared fourteen pounds £ Ton would by deducting Yearly to repay the seven Hundred £ acre and Interest in five Years more as before and leave Sufficient to Carry on the work besides The Conveniencys being in my own Hands would not well admit of partnersp or I would propose it in that manner to some able persons it would require my whole plantation at Patapsco as Two or three Teams must be kept to bring in the Barr Iron there to be shiped and would also require other Quarters back where I have meadows and Conveniencys to keep Teams at the Forge and the Furnace so as the Thing would be attended with so many Transactions it would Suit best in One Hand.

I take it that in the Summer Time, I could in Three days at most make a Turn from the Forge to Patapsco and three more back and from the Furnace to the Forge one Turn a Day and back Again & I calculate that five Horses with a Waggon will Carry a Ton and work Thirty Six Weeks in a Year so that with three Teams I could bring an Hundred Ton of Bar Iron a Year to be Ship^d to London.

I think it a Pitty the place should be and [not] have a proper use made thereof as it would turn out a National Good as well as a private.

I should Imagine that many in London would be glad to let their money go on good Security at five £ Cent £ Ann. which Security I would readily give and Calculate the Int: as follows

upon the seven Hund^d Pounds p^r ann—viz. the first Year that the Interest is pay^{ble} @ 5[£] p^r Cent is 35[£]

2 ^d Year with 700 [£] more.	70
3 ^d Year	105
4 th Year	140
5 th Year	175
	—
	525

So that Shipping one Hundred Ton Yearly as before observed would pay in Five Years more principal & Int: nor would I in the least think much of the Advantage of the Int: to the Person who would undertake to supply me, but I should be in Hopes of paying sooner than the 5th Year, if I had success in Carrying on the work I may Remit the fourth Year, and then I should not want by Seven Hundred Pounds the same.

I do not expect the Inclosed paper will have any Effect tho' reasonable it be, however as you desired in one of Yours my Notions on Trade or any proposal you might make I drew it up and when you have perused it, If you Judge proper lay it before the Board of Trade you Cannot fail of some Person to Introduce you to that honble Board. It is done with a good and laudable Intention and if Received as such I may be further Serviceable on the Subject, as I know of other Scituations fit for Furnaces & Forges which I would readily shew to any Gentleman from Europe Inclinal to go on Such Schemes and in all human Probability a Sufficient Quantity of Ore. I would not be like the Dog in the manger, neither Eat Hay or let the Cow. If I cannot Compass the Thing myself I mean the Former, I would sell the Land and Ore with other Conveniencies at a Moderate price.

I have had Three or four people most of the last summer Sinking in the places, where the best appearances of the Ore are, and find it in plenty but for Greater Certainty shall keep them at it all the next Summer.

I have been out a great deal of ready money in Purchas^g and

taking up those Lands and you are Sensible I took up many Tracts of back Lands which I sold to others who are now Settled on them & to pay Int. till the principal is discharged the Land in the meantime stands Security for the money upon this Footing I have outstanding Debts due to me Three Thousand Pounds this Currency but no Certainty of the principal coming in Soon; It is in great measure to enable the Buyers to pay for those Lands that I set the Merch^t Mill up at Patapasco, for as the Lands will produce wheat which the Buyers can well make I will take the Interest or principal in that Commodity or if I go on with the Forge & Furnace I can take it in any provision or whatever they make and the Lands are all very Convenient to that Scituation, so that their Carriage will not be far.

I have still Ten Thous^d acres more to sell on part of which is extraordinary good Convenience for erecting Forges or Furnaces with plenty of Ore but lies in the Valley beyond the first Range of mountains, which I would very readily sell to any persons Inclined to go Upon such Business, I mean that I have this Exclusion of the Scituation on the East side of the Mountain and I think it a pity any of them should lie idle.

Securing these Lands has drained me much of money and as my other Business requires the produce of my part of the Baltimore Comp^{ys} Furnace and Forge Yearly disables me to Carry on this other without the Supply of^d of seven Hund^d Pounds p Ann. for four or five Years.

I have not so narrow a way of Thinking as to Imagine that such Business can be over done or that one work would Interfere with another upon my Scheme of a National Supply, therefore would be content to share in Common with my Fellow Subjects and shall be very glad to promote the Affair, to the Utmost of my power, both to Shewing to others the Appearance of ore & proper scituations so far as they are Come to my Knowledge & by giving the best Directions and advice I am Capable of.

You are Sensible that the Two Fires which destroyed my

Warehouse & Bakehouse with my Losses in the last war, obliged me to sell the Interest I had at North East in Baltimore County For a Furnace with Sufficient Quantity of ore Wood & other Supplys to last for ever to Neal & Co which is now the property of Dr Nich^s Hacket Carew & Co & I hope will be to their advantage.

Neither need I mention to you the Implacable Malice of some here ag^t me which laid me under a Necessity of pulling down my Furnace at Patapsco, before it made Pig Iron to pay the Charge of erecting it and this by the popish Int: combined ag^t me, however as I would make the best of it. It is that Furnace Wheels & site thereof I am converting into a Merch^t Mill which I expect to go this next Fall.

And to shew you the good Nature of some altho' I must not Carry on my Furnace for one blast more yet our Comp^y: was so kind as to sell the Bank of Ore, whence I had mine to Mess^{rs} Johnson Lawson Wardop & Co for without it or Some other their Work must have drop^d.

These are the Transactions of the last Year but I hope I shall surmount all with the assistance of some good Friend, who shall be no looser and thereby better my Fortune to the publick Advantage.

I have great Hopes of Y^r Brothers Conduct and Assistance, and You are Sensible of the Dependance on you therefore shall not enlarge on that Subject.

If I am not so happy as to bring this Matter to perfection in my Life Time which still I hope to do Yet I will leave the Plan to you and Your Brother and I am certain with the Foundation I have laid it will be Accomplished with Ease.

If such a Work was to be gone upon by any other Person not possessed as I am of the Scituations Servants and Slaves & other Suitable Necessaries, it is not the Sum of three Times Seven Hundred pounds £ Ann for five Years that would enable him to purchase Land Erect & Carry on a Furnace & Forge, And bring in the Bar Iron by Land Carriage the Distance I mention of myne.

I have tried of this ore in a Bloomery and find it makes extraordinary good Bar Iron, but when it Comes to be made of Pig Iron from the Furnace I am Certain will be bettered as no Bloomery makes as Good Barr Iron immediately from the Ore as in the Forge from the Pig Iron.

I had a Letter from M^r Black dated 6th 9^{br} which gives me an Acet of Your Health at Bath, with which I was well pleased.

M^{rs} Carroll is very well & presents her Compl^{ts} to you I would have you shew this Lre to M^r Black as I shall write him to the Effect, as also my sketch of Trade.

I built Two Tobacco Houses & a Barn at Your Quarters this last Year Your overseers have made a pretty good Crops. I have ordered them to get their Tobacco ready as soon as they Can. Judd left Two Hogshs of Tobacco at the Inspecting House In Baltimore Town last Year but shall be shiped this.

I cannot see that by making Tobacco I should better my own Yours or Your Bro^s Fortunes & that induces me to go upon the Iron Business and making Grain to Support it.

I shall not at present Enlarge than to wish you perfect Health and to assure you that I am with great affection

Dear Charles

To Charles Carroll Esq^r at the
Middle Temple Garden Court
Library Stair Case No. 2

Y^r affectionate Father
H^{ble} Serv^t
C. C.

London

Annapolis Feb. 6th 1753

Sir

I applied to the Chancery Court, and shewed Your Two Lrs. to the Chancellor and Alleged the Unreasonable Time of the Year and that the Practice of the Court here Could not in Reason to the same as in Britain where Gent. of the Law Could be had at all Times and Seasons M^r Chase for the same Reasons as you had of the weather did not attend. The order of the Court was that the Demur should be dismissed with Costs.

I Conceive the Law and Reason is agst the order, the next Court of Course is the last Tuesday in this month. If You Cannot attend let me have Your Advice whether I had not better Appeals to the Court of Appeals.

I have sent the Bearer on purpose who will bring Your Answer

I have inclosed a Bond of Samuel Buds of Kent County £55..13 & the Int from the 19th May 1749 as also a Lre to him which when you have perused please to Seal & Send by some Safe Hand, that he may plead that no Demand had been made.

I would have you wait to hear from him some Time & if he does not Comply, It must be put in suit. It must be Current money if he pays

To Mr James Tilgham
In Talbot County

I am respectfully
Sr Y^r most h^{ble} Serv^t
C. C.

Sir

I hope it will be as You Say. I am Sure many that I know have had the Indulgence (if I may Call it So) I desire. I do not Want to be exempted from paying the Rents of the Two Tracts of Land, only to be discounted out of the Whole; as Suppose the whole Tracts to amount to 6000 acres these Two containing 200 included so to pay only for 5800 When I address to you I presume it is as to the president or his Lordsp's Agent as I suppose you consult him I have desired the Favour of Mr Howard to shew you the plat of the Land & what I would have and am very Respectfully

To John Ross Esq^r
Febr'y 9. 1753

Sr
Y^r most h^{ble} Serv^t
C. Carroll

Sr

I attended the Chancery Court on the first Tuesday of Jan^{ry} to which Time the Hearing on the Demurer to Mess^{rs} Carroll was adjourned with which I acquainted you and Mr Tilghman

I reced a Lre from Mr Tilgham that the Fear of the Inclemency of the weather and other Business prevented him so that he Could not possibly Attend at that Time, I suppose you had my Lre as Mr Tootle told me he Sent it by a Safe Hand, I suppose the same Reason might have prevented you. I alleged them to the Chancellr that it was not here as in Europe or our Mother Country where Councell was on the Spot at all Times and the Hardship it would be not to give Reasonable Time 'till weather would admit Gentlemen to attend, and Shewed Mr Tilghman Letters.

I told him likewise I was advised the Law was with me to Support the Demurrer, however the Order of the Chancellr was that the Demurer should be overruled with Costs.

The next Meeting of the Chancery Court is the last Tuesday of this month pray let me have Your Favour to be here at that Time when I shall Expect Mr Tilghman also to assist with Your advice

I am very respectfully

To Mr Jer. Chase, Charles County

Sr Yr most h^{ble} Serv^t

C. C.

Annapolis 13th Febr'y 1753

Sir

I wrote by the last post Inclosing my Bills for Twenty Pounds with Lre of Advice which leaves a Ball. in my Fav^r and am respectfully

Sr

Yr most h^{ble} Serv^t

To Mr Reese Meredith

C. C.

Mercht in Philadelphia

P. S. pray let me know by the next opportunity what the Price is of the best & finest Bolting Cloths & the Length & Breadth of them as also the price of the second Sort with the Length & Bredth of them

Annapolis Febr'y 15th 1753

Sir

Mr Howard & myself Committed a Mistake in making the Beginning Trees of Baileys Purchase, the Beginning of my Resurvey Called New London, for his making that the Beginning & Running the first Course of the same Land and Coming in by the Given Line to the Beginning Tree it may so happen that the going outside on the west may be closed—therefore I have sent you inclosed the Beginning. I would have made, by wch you will find the Beginning is left out & the first Course only & the last Course of an Hundred and Twelve Courses Lengthned Thirty Eight Perches and a new Beginning assigned with an Additional Course is the only alteration I see at present necessary to make.

I therefore desire Your Favour to return the Certificate according to the Inclosed and this Letter which I need not further Explain to you.

Mr Wickham who was here yesterday is Satisfied so I hope I shall have no New Enemies Enter the Lists agst me, Mr Miller who I could with Ease prevent even of his Resurvey is content.

I hope you will be so kind as to have my Certificate Returned in Time that I may Compound for and pay the Caution to have Patent thereon.

I need not tell you how necessary it is for me that you do this that thereby I may not loose the great Expence and Trouble I have been at.

Y^r ffavour herein will much oblige

To Mr Isaak Brooks

S^r

Surveyor of Fred^k County at

Y^r most H^{ble} Serv^t

Mr Samuel Bells near

C. C.

Bladensburgh

Beginning for the Resurvey of New London N. 41 Deg.
W. 38 & from the End of the First line of the original Land

Called Baylys purchase the said Line being S. 46 De^s W. 79 p^s from the Beginning Tree and runs from the 2^d place of Beginning S. 41. E. 35 p^s untill it intersects the Beginning of the second Course of the same Land being S: 41 Deg. E. 18 p^r then with the s^d second Course of the said Land Called Baily's purchase S. 41: E: 18 p^s and so on the Courses returned by Mr Howard untill you Come to the last Course of the s^d New London viz. N^o 62 Deg. & 1/2 W. 212 p^s which you must make 250 p^s and then by a straight Line to the Beginning to Conclude that Resurvey

Annapolis Feb^y 14th 1753

Sir

I have inclosed you an Order on Mr George Cann, which if he pays you will please to Credit me on Acc^t of John Chalmer's Mortgage.

I have got him to go down to you to have a State of that acc^t and also the Mortgage that I may draw a Release and send it to you (with the Ballance) to be executed pray favour me with these, and I will immediately pay you and put an End to that Affair

I am respectfully

Sir

To Mr Christo Lownds

Merch^t Bladensburgh

Y^r most h^{ble} Serv^t

C. C.

The following Proposals are made by the Subscriber Charles Carroll of Annapolis in Maryland for erecting one Furnace to run Iron Ore into Pig Metal and one or more Forges for making it into Bar Iron and Importing the same into the Port of London in great Britain.

But first to the Grounds of my Proposition Having discovered a great Appearance of Iron Ore Under and on the South East Side of one of the mountains in this province about the Distance of Sixty miles from the navigable water of Pa-

tapsco River I purchased the same and Three Thousand Two Hundred acres of well wooded Land convenient thereto with an Excellent stream of Water which will afford Sufficient for a Grist Mill as well as a Furnace Wheel.

The largest appearance of Ore where the Furnace must be erected is on the Surface of the Earth along the Side of a Hill about three Quarters of a Mile in Length & from the Bottom of the Hills towards the summit thereof about half a mile. It has been tryed in the face of the Hill below and Appears thick & to lie to the Bottom of the Hill and abt Two hundred Ton of Ore lie on the Bank taken out of a small space, the Rocks of Ore on the Surface are of different Sizes many Ten Feet over & seems to lie deep in the Earth in the lower part of the Hill as well as the Upper

A Dam may be made in the Run at the Expence of five Pounds which with a Race about fifteen perches will give a Fall of thirty feet and with little Expence Carried on a Grist Mill or Furnace Wheel

As the Ore appears, It is conceived that four men will raise a Sufficient Quantity to Supply a Furnace constantly for a Sufficient Quantity of Pig for Two Forges.

As the ore lies so near to the site of the Furnace one Horse or Two at the most may stock the Bridge and the Ore may be Burnt at the Bank where raised the Distance of any part of the Ore from the Furnace cannot be above a Quarter & half Quarter of a mile. Near this Appearance there is good Building Stone Sand & Clay for erecting the Furnace and other uses, and an everlasting Quantity of Lime Stone for building and Fluxing the ore also.

About a Mile Northward of the aforesaid Bank is another strong appearance not inferior to the Former, tho not so extensive but has been tryed six Foot deep in Several places, and find the ore that depth and under it and very large Rocks on the Surface. This Ore I mean of both Banks for they are the same kind burn very tenderly and breaks easily has been tryed by Two Founders a finer and Hammer man and other Experi-

enced Persons in a Chaffery made very good Tough Iron, it was immediately tryed by making Horse Nailes and other Experiments.

In all humane Appearance the ore cannot fail in Quantity and other materials will never be wanting for converting the same into Pig.

The sides of the mountains afford such Quantities of wood which may be had at Reasonable Terms if ever wanted as well as from Seated Lands Exclusive of the level Lands belonging to the Subscriber as aforesaid.

The Subscriber has also purchased a seated Plantation about Three Quarters of a Mile from the Site of the Furnace on which is good Pasture and Arable Land and as much Meadow Made as will keep Twenty Head of Horses and Cattle all well Inclosed and on which he has now Three Slaves and an Overseer and there may be Still if Needful Sixty or an Hundred Acres more Meadow Cleared there, which may be Easily done when Coal wood is Cutt. There is likewise a good Dwelling House built in October last and a good Stable at the mine Bank and at the Plantation is a large Barn Stable Cow houses large Dwelling house, and other Conveniencys whereby the work may be Carried on immediately without Delay as with Gods Blessing the Subscriber intends to keep Three men still at work in the Bank next Summer for greater Certainty.

It may be likewise observed that within the Distance of Six Miles one way and about Ten another there is very good stone for Hearth Stones and an Everlasting Supply thereof.

In order to Clear a convenient Road from the Mine Bank to the publick Road there has been this winter Two Hundred Cord of Wood or Upwards Cut and is Corded which may serve to burn Lime or make Coal for Smiths for the present or other Use

Any Gentleman acquainted with the making Pig Iron will soon Judge from the Nearness of Ore Wood Lime Stone and other Conveniencys that Pig Iron may be made with Ease & Cheap in the foregoing Place.

About Twelve miles from the Mine Bank on the direct Road to Patapsco the Subscriber has about Seven Thousand five Hundred Acres of Land & upwards thro' which Runs Two fine streams of water fit for one or more Forge or Forges & Grist Mills the said Land being very well wooded would for ever afford Supply of Coal for One or Two Forges.

The place which I would recommend for the first Forge is Twelve miles from the Bank and affords fine Quarries of good Building Stone, near where the Dam must necessarily be as also others to where the Forge must Stand the dryest weather there will be Sufficient of water to work a Forge double handed.

There is Lime Stone on the Same Land but about Four miles from this Scituation and wood convenient on every side.

Now it may be observed that it will not Cost above Eight Shils Sterling p^r Ton to bring the Pig Iron to the Forge from the Furnace many offer to engage at that Rate

By the Nearness of the wood both at Furnace and Forge it will not require more than one Team at Each place to bring in Coal for many Years.

On the same Land there is one piece of fine Rich Meadow Ground finely watered not less than One Hundred Acres fit to mow at most parts at present but the Subscriber having Settled some Slaves & Servants there this last fall Expects to have it all inclosed and properly drained and all or most fit for meadow next Summer, which would Yield more Hay than would be requisite about a Forge and the Upland produce good Grain of any Kind for Support of Man and Horse, on the same Land are Several Tenants who may be of use to Carry on Business

About half way between the Forge Place and Patapsco he has likewise another Quarter with good Pasture Ground which might serve as a Stage for Waggons Carrying down the Bar Iron and at their Return for a Team will make a Turn down in Two days and in the same Time back again and each Team bring down a Ton of Bar Iron at a Turn

At a Landing on Patapsco River the Subscriber has a plantation where he would find House Room for such Bar Iron and

Ship the same as also find storage for any Goods as Salt particularly to be Carried back to the Forge or Furnace but this Plantation he Could not dispose of tho others may be procured as convenient when needful for that purpose. Now Gent acquainted with Carriage will best Judge the Value of a Team and four Horses Two days which will be the least of bringing the Bar Iron from the Forge to Navigable Water where ships lie for the Back Carriage if only of Salt will pay for itself as it Sells in those places of the Furnace and Forge at five Shillings the Bushell English White Salt and will answer well to exchange for Provisions and other necessities

The Subscriber has also all the necessary Saws Bellows Plates & Iron Work for a Furnace, and all the Saws Plates Hammers and Anvills Requisite for a Forge which he would deliver at the Respective Places at their usual Common Prices and Carriage so that the Building a Furnace and Forge might be Carried on together, but the Former to be managed so as to go first as it may give Supply of Pig Iron to the Latter.

The Subscriber fully intended to Carry on this Business by himself but is prevented by many Unforseen Accidents but the want of Ready money the Greatest, altho he is very Sensible that if briskly Carried on it would soon return the Outgoing for a Forge well worked will turn out Yearly at least One Hundred & Twenty Ton of good Merch^t Iron fit to Ship to the London market beside what may be needful for necessary Use about the works which if gets home safe and sells at any Tolerable Rate would soon raise money and as he conceives that supplying the Nation with so useful and necessary a Commodity from the plantations, which now they have from others often at Enmity with Britain would be a publick Service as well with the divine Blessing a private Advantage he therefore offers to part it with any other publick Spirited Honest Gent: inclinable to Come into Shares thereof.

First he proposes to Sell the said Lands with the present Improvements and any that shall be made to the Twenty ninth day of September next with the Ore raised or to be raised to

that Time, and all the Ore on the said Land or Lands with the scituations of the Furnace and Forge and the said Plantations & meadows to them or any of them contiguous or belonging or included within the Bounds of the Respective Tracts or parcells of Land including also the Middle Stage amounting in the whole to Ten Thousand ffive Hundred acres or thereb^{ts} at the Rate of Thirty Pounds Sterling £ Hund: acres which will amount to Three Thousand and one Hundred & Fifty Pounds.

Secondly that Sixteen Shares be erected into a Company each share five Hundred Pounds of which he himself to be Two shares or one eight part deducting for such Share out of the price of the Land &c and to be paid the Remainder

Thirdly That the Conveyance of the Lands &c be to such Shares in Company their Heirs and Assigns according to their Proportionable Parts and not as Joint Tenants to take by Survivorshp^s but as Tenants in Common for the use of such works according to proper Articles to be by them executed.

Fourthly that in Case any such member can be had in London that will Come into this Scheme that they first send over one or more person or Persons skilled in such works as Forges and Furnaces Iron Ore and fit Scituations to View and Examine into the Certainty of my Relation & proposals and that in Case they approve thereof they or either may be impowered (for preventing Delay) to Carry on the proper and Needful preparations for the purpose and that they may be enabled to draw on Some Person for a certain Sum not to be exceeded for getting Servants or Slaves or other necessarys for the Purpose as building suitable Dwelling houses Stables and some Store-houses for Salt and other Goods at both places, and particularly for Erecting at the place for the Forge a Grist Mill there being one already and a Saw Mill near the Place for the Furnace which would Supply for a while but none near the other.

Fifthly That in Case such matter shall proceed that there be one of the Company or Shares appointed to act in London who as soon as he Could should be directed to send in here for

the Carrying on such work five Hundred Pounds Ster. out of the Joint Stock in such Coarse Goods Iron ware including materials for the Forge & Furnace as Bellows Nossils, Leather, Nails Smiths Tools &c as also Two Indented Black Smiths Two Carpenters one wheel wright if to be had on Reasonable Terms, and that such Agent in London do also send Direction to a Merch^t in Barbadoes to send in to the Agent here to the Value of One Hundred pounds Ster: in Sugar and Rum as also that the Agent in London procure to be sent in here a good Quantity of Salt from Limington or Liverpoole Where cheapest all which to be put under the Care of Such Agent here at the Scituation for the Forge which is the most Suitable Center some of which Goods might be Exchanged for provisions and others to pay Labourers wood Cutters Colliers &c and may be sold at a good advance but no precarious Credit to be given

One who knows the people to be employed under the Agent here in the Sale of Goods.

Sixthly That the Agent here be directed as soon as he Can conveniently do it to get Young Negro Lads to put under the Smiths Carpenters Founders Finers & Fillers as also to get a certain number of able Slaves to fill the Furnace Stock the Bridge Raise Ore & Cart and burn the same.

Wood Cutters may for some Time be hired there There should be but Two master Colliers one at the Furnaces another at the Forge with a Suitable Number of Slaves or Serv^{ts} under Each who might Coal in the Summer and Cut wood in the winter in which such Agent should be instructed and the Colliers to over see them in the winter and have allowance for a proportionable Share on the Wood Cut and Corded for Coaling and on the Coal by the Land and that there be a Clark at the Furnace also Subordinate to the Chief Agent who might have his necessary Supplys from the Agent at the Forges.

Seventhly. The Subscriber proposes to sell to such Comp^y: at a reasonable Rate as shall be Agreed on between Him and the Companys Chief Agent the Slaves or Servants which shall be at the mine Bank and the Quarter adjoining as at the mea-

dow Quarter near the Forge Place with the Stock of Cattle Horses Tools or other necessary materials for Carrying on the proper Branches of the Business and he likewise promises to assist such Agent with his best advice for the Comp^{ys} Interest not solely because his own is Concerned but as he shall be tied by Obligation Duty and Honour to such as will Join with him in Carrying on this Affair and as his Son lives at the plantation to which the Bar Iron will for some Time be brought to be ship^d & where the Comp^{ys} Goods Will be landed he will have his Instructions to do in every Respect for the Company's Interest and in Case the Company should be at any Loss for the Carting the Bar Iron the Subscriber will Cause his son to set up a Sufficient Number of Waggons well provided to bring such Bar Iron to the Landing, and Carry out Salt and other Goods for the Comp^y at such reasonable price as shall or may be settled between his Son and such Agent with the Comp^{ys} Approbation at Home And that nothing may be wanting to promote the Business to Effect his said son will keep Flats to put such Bar Iron on Board the Ships in Patapasco and sloops or proper Vessels to Carry it on Board Ships in any other River which shall be thought proper on like Reasonable Terms and shall likewise take Bills of Lading if the Agent not down at the sailing of such Ships and Inclose the same with proper Certificates to the Agent in London, delivering Coppys to the Agent here, which Agent shall have a Room at his Son's House with proper Accommodation when he is at the waterside on the Company's Business.

There shall be a clear & undoubted Title made to the Lands and p^rmes by the Subscriber and if any Deficiency in Quantity of Acres he will make it up out of other Lands he has near to the scituations The Company to pay in proportion if more than Ten Thousand five Hundred acres contained in the Respective Tracts, Plans Patents and Deeds of which shall be laid before such Agent or other persons as shall by the Comp^y be appointed here to View the Same.

The principal Tract contains seven Thousand Acres on which

the Forges may be erected and is Called New London with Several Small Tracts of Land thereto Continguous. That on which the Furnace must be erected and on which the ore is Called London and Contain Three Thousand acres with other small Tracts contiguous and altho the Subscriber offers to sell at so low a Rate Severall of these Lands cost him Sixty Pounds Ster: the Hundred acres.

The Subscriber Can find Founders, Keepers, Milwright and mason here who will work at Reasonable Rates for erecting such works, and can likewise find some Forge men, altho if the matter should proceed Two finers from some part of Britain covenanted to serve a Time on proper Rates on the Tonnage would well answer but of that hereafter.

Lastly as it would be too tedious to enumerate every Incident necessary in a Business of this Nature the Subscriber assures any Gentleman who please to be concerned that in Case they shall incline to Extend the Iron Business here after a Tryal of one Furnace and Forge he will shew their Agent other scituations with Ore wood and water for Furnaces and Forges but further Back than these herein Recommended and that he or his Family will run Equal Chance with them.

Any Gentleman inclinable to be concerned herein may please to apply to Mr William Black Mercht^t in London & be further informed in Relation to this proposal

C. C.

Annapolis in Maryland

Febr'y 1753.

(To be Continued)

GOUGH-CARROLL BIBLE RECORDS.

Harry Dorsey Gough, son of Thomas and Sophia Gough, was born January 28, 1745, at five minutes after six o'clock p. m.; was married to Prudence Carnan May 2, 1771. He departed this life May 8, 1808.

Prudence Carnan, daughter of John and Achsah Carnan, born January 16, 1755.

Charles Ridgely Carnan, son of John and Achsah, born December 6, 1762; married to Priscilla Dorsey, October 17, 1782.

Priscilla Dorsey, daughter of Caleb and Priscilla Dorsey, born July 12, 1762. Mrs. Priscilla Ridgely departed this life April 30, 1814.

James Maccubbin, son of Nicholas and Mary Clare, was born December, 1762; married to Sophia Gough in December, 1787. James Maccubbin above mentioned was born in the year 1761, December 8. [Last entry interlined and signed James Carroll, January 21, 1827.]

Sophia Gough, daughter of Harry D. Gough and Prudence his wife, was born August 2, 1772.

Mrs. Sophia Carroll departed this life December 11, 1816.

Mrs. Margaret Carroll departed this life March 14, 1817, aged 76 years. [Wife of Charles Carroll, Barrister.]

John Gough Carroll, son of James and Sophia Carroll, died August 2, 1817, half past three o'clock a. m., aged 6 years 11 months and 25 days.

Charles Ridgely Junior of Hampt., died at Epsom Saturday, June 19, 1819, aged 35 years 10 mo. He died at half past nine o'clock p. m.

Mrs. Prudence Gough died at Baltimore 23 June, 1822, 10 o'clock p. m., aged 68 years.

Died at Hampton October 2, 1822, at half past three o'clock p. m., Mrs. Prudence Gough Ridgely. She was born October 15, 1795.

Died at Baltimore April 18, 1828, Mrs. James Howard, aged 27 years.

Died at Baltimore July 17, 1829, General Charles Ridgely of Hampton, in the 69th year of his age.

Departed this life in Balto. Friday 27th January 1832, at 9 o'clock p. m. James Carroll aged 70 years 1 month and 19 days.

Died at Baltimore, April 11, 1834, Eliza Onion aged 79 years 5 months and 10 days.

Died at Balto. August 7, 1841, Mrs. Achsah Carroll aged 49 years.

Harry Dorsey Gough Carroll, son of James and Sophia Carroll, born April 4, 1793.

Eliza Ridgely, daughter of Charles and Priscilla Ridgely, born May 24, 1797.

Harry D. G. Carroll was married to Eliza Ridgely, January 19, 1815. [He died

Priscilla Ridgely Carroll, daughter of Harry D. G. Carroll and Eliza his wife, was born April 5, 1816, at 1 o'clock a. m., in North Gay Street.

Charles Ridgely Carroll, son of Harry D. G. and Eliza Carroll, was born Tuesday May 20, 1817, at 10 minutes before 7 o'clock a. m. in Holliday St.

Harry Dorsey Gough Carroll, son of Harry D. G. Carroll and Eliza his wife, was born on Saturday February 27, 1819, at 20 minutes before 2 o'clock a. m. in Front Street, O. T.

Prudence Gough Carroll, daughter of H. D. G. Carroll and Eliza his wife, was born in South Frederick Street, Baltimore, on Thursday, 21 December 1820, at 10 minutes before 4 o'clock a. m.

James Clare Carroll, son of Harry D. G. and Eliza Carroll, was born in Frederick Street, Baltimore, on Thursday May 1st, 1823, five minutes past 1 o'clock p. m.

Eliza Carroll, daughter of Harry D. G. and Eliza Carroll, was born in Frederick Street, Baltimore, on Wednesday September 7, 1825, fifteen minutes past 7 o'clock p. m.

Harry D. G. Carroll, son of Harry D. G. Carroll and Eliza Ridgely, died July 12, 1882, aged 63, No. 90 W. Monument St., Baltimore.

Priscilla Ridgely Carroll, died Thursday March 22, 1821, aged 4 years 11 months and 17 days.

Charles Ridgely Carroll, died Tuesday May 29, 1821, aged 4 years and 8 days.

Prudence G. Carroll, died on Monday July 18, 1825, aged 4 years, 6 months, and 27 days.

Eliza Carroll, died at Perry Hall, Wednesday August 2, 1826, aged 10 months and 25 days.

My beloved wife Eliza Carroll, departed this life Wednesday 12 of August 1828, at 9 o'clock p. m., aged 31 years 2 months and 19 days.

James C. Carroll, died December 19, 1934, aged 10 years 7 months and 18 days.

(On loose sheets pinned in the Bible are the following records):

James Carroll, son of James Carroll and Achsah Ridgely, died April 20, 1887, at 3:15 p. m., 70 years old on February 23.

Mary Wethered Ludlow (Carroll), daughter of Robert C. Ludlow and Anne C. Wethered, died 31st August, 1888, 70 years.

Harry D. G. Carroll, died on Friday March 2, 1888, aged 36 years and 4 months.

JONATHAN BOUCHER, AN AMERICAN LOYALIST.

By JAMES E. PATE,
College of William and Mary.

Jonathan Boucher was born in 1738 in the wretched village of Blencogo in the county of Cumberland, England, where his family had been settled "time out of mind."¹ His father earned a precarious living as an ale-house keeper and village schoolmaster. Therefore young Boucher was inured to hardships and labor. "There is no kind of labor at which I have not often worked as hard as any man in England," but he candidly admits that "both young and old I was naturally lazy and hated work," which was so notorious a fact at Blencogo that the prognosticators predicted that "I should certainly come to an evil end." Boucher secured an indifferent education at the village schools and set up as a schoolmaster.

The turning point in his career came when the opportunity was offered to go as a private tutor to the sons of a Virginia gentleman. He landed at Port Royal where, he says, "I was engaged in many silly frolics, was often at balls and almost constantly in a round of very unimproving company." After two years at Port Royal, Boucher entered somewhat fortuitously the ministry. He describes Mr. Giberne, the Rector of Hanover Parish in King George County, "as a companionable man but nothing more; and the only person with whom I remember ever in my life to have gambled." This gentleman married a rich widow in Richmond County where he moved, leaving vacant the parish. The position was offered Boucher who accepted and immediately sailed to England for orders.

On his return to the colony, Boucher applied himself diligently to the duties of his parish. He added to this the care

¹ *Reminiscences of an American Loyalist*, Jonathan Boucher, 1738, 1789. edited by his grandson, Jonathan Bouchier, N. Y. 1928.

of a plantation and boarding school. His boarding school increased to such an extent that it was necessary to have an assistant. He employed James Madison,² "a pert and petulant fellow," who later became President of William and Mary College. One of the boys at the boarding school was Custis, the step-son of George Washington.

Boucher's opinion of his contemporaries is not flattering. "I did know Mr. Washington well," he writes: "and tho' occasions may call forth traits of character that never would have been discovered in the more sequestered scenes of life, I cannot conceive how he could, otherwise than through the interested representations of party, have ever been spoken of as a great man. He is shy, silent, stern, slow and cautious, but has no quickness of parts, extraordinary penetration, nor an elevated style of thinking. In his moral character he is regular, temperate, strictly just and honest (except that as a Virginian, he has lately found out that there is no moral turpitude in not paying what he confesses he owes to a British creditor) and, as I always thought, religious: having heretofore been pretty constant, and even exemplary, in his attendance on public worship in the church of England. But he seems to have nothing generous or affectionate in his nature. Just before the close of the last war he married the widow Custis and thus came into the possession of her large jointure. He never had any children and lived very much like a gentleman at Mount Vernon in Fairfax County, where the most distinguished part of his character was that he was an admirable farmer."³

Americans in general, Boucher believed, were endowed with a knack for talking. They seemed to be born orators. The tendency of Virginia families to take up permanent tracts of land and to intermarry developed peculiar family traits. For instance, every Fitzhugh has bad eyes; every Thornton hears badly; the Winslows and Lees talk well; the Carters are proud

² The cousin of James Madison, President of the United States.

³ *Op. cit.*, p. 50.

and imperious; Taliaferros are mean and avaricious; and Fowkeses are cruel.⁴

The interests of this extraordinary man while in Virginia were many. He was interested in the welfare of the negroes. He baptized several hundred and set up two or three sensible blacks as schoolmasters, so he had about thirty every Sunday who could read their prayer books and make the responses. He was interested in public men and public affairs. At the request of Rev. Mr. Maury, one of the leaders of the ministerial opposition to the assembly, Boucher wrote some articles in the dispute between the clergy and the assembly on the Two Penny Act which established his literary reputation.

After ten years service in Virginia, Boucher removed to Maryland. He became Rector of Annapolis, which he describes as the genteelest town in North America, a very desirable place to live, "the people highly respectable as to station, fortune, and education."⁵

His interest in the affairs of his church and state never abated. One of his first acts was to petition for a bishop, which gave some offence. Boucher was well convinced that there was a need for a bishop because there was need for some disciplinary head over the clergy and it was expensive to go to England for ordination. He believed that a bishop in America would increase the number and character of the clergy. Boucher firmly believed in the maxim of King James "No bishop, no King." A union of church and state is proper. He stated that "each is a part of each, each a part of the constitution and an injury to one hurts the other."

As Rector of Annapolis, Boucher was ex-officio chaplain of the lower house of the legislature. The salary paid the chaplain was ten pounds currency a session, which was lower than that paid the doorkeeper. This seemed an indignity and Boucher wrote a letter to the assembly stating that he would serve them for nothing, but that if he was paid at all it would be as a gentleman. "This transaction," he writes, "also made

⁴ *Ibid.*, p. 62.

⁵ *Ibid.*, p. 65.

much talk in the community gaining me some friends and more enemies."

A literary club was formed and Boucher became its president. The times now grew troublesome. The assembly passed an act which changed the salary basis of the clergy from the regular tithe in tobacco to money. This caused a reduction in salary because tobacco was scarce and therefore high. Boucher writes, "Other troubles also soon came on us. The times grew dreadfully uneasy and I was neither an unconcerned nor an idle spectator of the mischiefs that were gathering. I was, in fact, the most efficient person in the administration of government, though I neither had a post nor any prospect of ever having one. The management of the assembly was left very much to me and hardly a bill was brought in which I did not either draw or at least revise, and either got it passed or rejected. All the governor's speeches, messages, etc., and also some pretty important and lengthy papers from the Council were of my drawing up. All these things were suspected and the noisy patriots considered me an obnoxious person. Hardly a day passed over my head in which my mind was not put upon the stretch by some great event or other."⁶

During these public activities, Boucher was happy in the numerous activities of a domestic household founded in June, 1772, by his marriage to Nellie Addison. He had bought a large plantation well stocked with slaves. He took pride in being a good master and that his negroes proudly answered any query as to ownership with the remark, "To Parson Boucher, thank God." His views on the condition of slaves were that the negroes in Virginia and Maryland were, on the whole, no worse off nor less happy than the laboring man in Great Britain. The "most clamorous advocates for liberty are uniformly the worst and harshest masters."

Boucher's public activities had by now attracted wide attention. The honorary degree of Master of Arts was conferred upon him by King's College in New York, because of the ser-

⁶ *Ibid.*, p. 93.

vice he had "rendered Church and State." Soon after receiving this honor, Boucher in company with Dr. Cooper, President of King's College, went to Philadelphia on a mission for the church.

He writes disparagingly of William Penn's city planning. "The city is disgusting from its uniformity and sameness; one street has nothing to distinguish it from another, but that one is the first and another the second and so on. There are no squares, no public edifices of any size or dignity; the situation is flat and level; and, in short, everything about it has a quakerly or rather, a Republican aspect. The people, too, are like their town, all very well, but nothing more. One is as good as another, but no better. In one point, not contented with being not agreeable, they are almost disagreeable. The almost universal topic of conversation among them is the superiority of Philadelphia over every other part of the globe. All their geese are swans."⁷

His view of the colleges that he came in contact with was as disparaging as his opinion of the city of Philadelphia. "I consider," he writes, "the two colleges of Philadelphia and that of Princeton in the Jerseys, as the chief nurseries of all that frivolous and mischievous kind of knowledge which passed for learning in America. Like some of the Academies in and around London, they pretend to teach everything, without being competent to teach anything as it ought to be taught. Their chief and peculiar merit was thought to be in Rhetoric and the belles lettres. Hence in no country were there so many orators, or so many smatterers. These colleges manufactured preachers and physicians with equal facility. Two or three years spent in one of these seminaries qualified for the gown, but subsequent appointment to a vacant parish depended largely on the applicant's "voice and action." "As for lawyers," Boucher writes, "they seem to grow up spontaneously."

The times had now grown more troublesome. Boucher says, "I endeavored in my sermons and in various pieces published

⁷ *Ibid.*, p. 101.

in the gazettes of the country, to check the immense mischief that was impending, but I endeavored in vain." In consequence of these public activities and the loyal sentiments expressed in his sermons, Boucher became a marked man. The press was closed to him, and he found difficulty in preaching. "For more than six months," he writes, "I preached with a pair of loaded pistols lying on the cushion; having given notice that if any man, or body of men, could be so lost to all sense of decency and propriety to attempt to do what they had long threatened; that is, to drag me out of my pulpit, I should think myself justified before God and man in repelling violence by violence."⁸

The revolution is now imminent. Boucher, by an interesting coincidence, crosses the Potomac River the same time that General Washington is crossing on his way North to take command of the continental army. "General Washington beckoned us to stop, as he said, to shake us by the hand. His behaviour to me was now, as it had always been, polite and respectful, and I shall for ever remember what passed in the few disturbed moments of conversation we then had. From his going on the errand he was, I foresaw and apprised him of much that has since happened; in particular, that there would certainly be a civil war, and that the Americans would soon declare for independency. With more earnestness than was usual with his great reserve he scouted my apprehensions adding (and I believe with perfect sincerity) that if ever I heard of his joining in any such measures, I had his leave to set him down for everything wicked." Boucher writes, "This was the last time I ever saw this gentleman, who, contrary to all reasonable expectation, has since so distinguished himself as that he will probably be handed down to posterity as one of the first characters of the age."

Before his embarkation Boucher dispatched final letters to the people of Maryland, to the southern deputies in Congress,

⁸ *Ibid.*, pp. 107-125. Boucher relates several instances of combat. By his frank exhibitions of courage, he won a reputation of being in favor with both "man and Minerva."

and to General Washington. He had a grudge against the republicanism in government and the independency in religion of the people of New England. He warns the southern deputies that, independent of Great Britain, civil war will ensue between the North and the South which will result in that "all the fair settlements in the southern colonies will be seized on by our more enterprising and restless fellow colonists of the North." The dispute over slavery and states rights is not foreseen. Boucher seems to base this statement on the theory that a cold climate makes people restless and warlike. He exhorts the southern deputies to cherish the Church of England and to be on their guard against any reform in religious institutions that might come from the North for "they are bent on reforming both church and state." "We should as soon expect to see the greatest contrarities in nature to meet in harmony, and the wolf and the lamb to feed together, as Virginians to form a cordial union with the saints of New England."

On the tenth of September, 1775, Boucher embarked for England. His views of the controversy between Great Britain and the American colonists are set forth in a series of sermons preached in Virginia and Maryland during 1770-1774. These sermons, which were published in England some years after the termination of the Revolution under the title of "A View of the Causes and Consequences of the American Revolution," were dedicated to George Washington "my friend and neighbor of Mount Vernon in Fairfax County, Virginia, the late dignified President of the United States."

It has been seen that Boucher became noted as a political writer and as a preacher of political sermons. He was not a publicity seeker but, rather, he lamented that the condition of the times in which he lived demanded that political subjects be given attention. "It is said," he writes, "that politics and the pulpit are terms that have little agreement, that no sound ought to be heard in the church but the voice of Christian charity, and the church is a place where one day's truce ought to be allowed to the dissensions of mankind." But Boucher believed that the force of this argument rested on the term

politics being understood in a vulgar meaning. He used the term to comprehend those duties which every man owes to society, and he believed that the preacher acted strictly within his profession when he explained to the people their public duties. "Such politics are the healing voice of Christian charity. The peremptory tone with which we of the clergy are so often interdicted from meddling in politics has long appeared to me to be more dictatorial than as free subjects of a free government it is incumbent on us to hear."⁹

In the preface to his book of sermons, Boucher discusses at some length the causes of the American Revolution. He does not believe that a paltry tax on tea could be considered seriously as a principle in the controversy. Now there might be some reason in the fact that the colonies were in debt and they had rather, he remarked, "rebel and be damned than be loyal and be ruined."

Boucher finds in the peculiar character of the times and the people, fruitful soil for the seeds of rebellion. There seemed to be a relaxation of the principle which is the cornerstone of government; i. e., obedience. There were no flagrant crimes, yet the people were little governed by settled principles. Parents complained of disobedient children. Employers and employees had no attachment, but the laboring man "instead of regarding the rich as their guardians and benefactors look on them as so many overgrown colossuses which it is no demerit in them to wrong."¹⁰

Boucher speaks of the meddling spirit of the times which has developed such conceit that every illiterate man believes that he can reform both church and state. "Our danger arises from rash and daring ignorance," he remarks, "from the pertness and self-sufficiency of men who are so illiterate as to despise learning, and from the meddlesomeness of republicanism." This spirit of republicanism, Boucher believed, was not extirpated at the restoration, but has since fascinated the British

⁹ A view of the Causes and Consequences of the American Revolution.

¹⁰ *Ibid.*, p. 309.

world under the imposing name of liberty. This turbulent spirit was carried to New England by the Puritans and Boucher writes that those colonies in New England where this spirit of independency flourished took the lead in all those disturbances against parliamentary rule. "The people of the four New England governments may challenge the whole world to produce another people who without actually rebelling have throughout their history been so disaffected to government, so uniformly intolerant towards all who differ from them, so dissatisfied and disorderly, and so impatient under every proper legal restraint not imposed by themselves. That a people like Virginia and Maryland, enjoying all the peace and security which the best government in the world can give, should at the instigation of another people rush into a civil war against a nation they loved is one of those instances of inconstancy in human conduct which seems marvelous and incredible." Boucher believed that Peyton Randolph was chosen President of Congress and Washington Commander-in-chief of the continental army to get the support of Virginia.

Another bad symptom of the times was the tendency to develop sects. Sects ordinarily develop among a studious and religious people. Boucher was therefore at a loss to explain the propensity of the people of Virginia to run into sects. He believed that sects were disorders which indicate a "dis-tempered government" just as boils do a bad body. Sects and parties usually prevail together and are similar in their manifestations. Both show a disjointed time. One is a revolt against church and the other against government. Parties or factions will arise when there is no "King in Israel," i. e., when the power of government is relaxed.

It is obvious from what has been said, that Boucher distrusted democracy. He had little faith in the capacity of the people to pass competent judgment on public men and measures. He believed that Providence did not intend that ignorance should dictate laws to knowledge. Democracy destroys those artificial distinctions of society and therefore removes incentives to industry. But the greatest defect, Boucher believed,

is that democracy destroys security. It tends toward mob rule. "Mankind have seldom been assembled in great numbers for any useful purpose; whenever we see a vast multitude we may exclaim with Jacob, O my soul come not thou into their secret, unto their assembly mine honor be not thou united."

Boucher does not believe in the dogma of the political fundamentalist that all men are born equal and that no man is therefore naturally inferior or subjected to another, but by his consent. Man is a social being, but there can be no society without government. And the *sine qua non* of government is that there be superiorities and inferiorities. "A musical instrument of all chords of equal size and power can not produce harmony. So there can be no peace and order in a society of all perfectly equal members."

The logical corollary of the notion of equality, that government is based on the consent of the governed is likewise rejected by Boucher. Boucher did not have the legalistic conception of the binding force of a contract. But he believed that this principle entitles a man to recall and resume that consent whenever he sees fit. Any attempt, therefore, to introduce this "fantastic system into practice would reduce the whole business of social life to the wearisome, confused and useless task of man first expressing and then withdrawing his consent to an endless succession of schemes of government. Governments, though always forming, would never be completely formed; for the majority today might be the minority tomorrow and, of course, that which is now fixed might and would be soon unfixed." Boucher could not possibly conceive that man in some "fabulous age" roamed the forest without guide or overseer, but at last convinced by experience of the impossibility of living with any degree of comfort or security without government, and therefore in some lucid interval of reflection met together in a spacious plain for the express purpose of forming government.

Boucher sees in the principle of equality, if admitted, an obstacle to the forming of government by contract because, since this theory implies the transference of rights, who shall

relinquish or who shall be invested with rights. For by asking another to exercise jurisdiction over me, I clearly confess that I do not think myself his equal and by his consenting to exercise such authority he declares that he thinks himself superior. "The supposition, therefore, that a large concourse of people in a rude state of society should thus rationally and unanimously concur to subject themselves to such restrictions, many irksome and unpleasant and all of them contrary to their former habits, is to suppose them possessed of more wisdom and virtue than multitudes in any instance in real life have ever shown."¹¹

Another obstacle to this theory Boucher finds in the nature of government, which cannot exist without power of life and death over its subjects. But no people can grant away this power by contract, because "he who gives life only can give the authority to take it away. God did not form creatures capable of order and rule and turn them loose into the world under the guidance only of their own unruly wills; that like so many mad beasts they might tear and worry one another in their mad contests for preeminence. But as soon as there were some to be governed there were also some to govern."

Authority is, therefore, from God. And the first man by virtue of paternal claims, on which all subsequent governments have been founded, was first invested with the power of government. "The first father was the first king. It was thus that all governments originated and monarchy is its most ancient form." Boucher believed that the patriarchal theory as to the origin of government is based on the best historical evidence. He believed that it might have been the natural origin of government if God had not interfered. The first instance of the exercise of authority is that of Adam over Eve. "This shows that power is not a natural right. Adam could not have assumed nor could Eve have submitted to it had it not been so ordained of God."¹²

Boucher was far apart from the individualist who claimed that government was a necessary evil. Medicine which cures

¹¹ *Ibid.*, p. 521.

¹² *Ibid.*, p. 532.

a disease or a surgeon who saves a life could with equal reason be called an evil. Government is not an evil, but "lawful government is the greatest blessing that mankind enjoys and the life and soul of society, without which men must live together rather like wolves and tigers than like rational creatures."

It is of the nature of government to be absolute and irresistible. This is true whether you have a sovereign monarch or a sovereign parliament. There can be no government without these attributes. The supreme power cannot limit itself. It cannot be limited but by a superior. In this case the superior would be the governing authority, and that which was the government would be destroyed.

Boucher believed in the inviolability as well as the irresistibility of government. Opposition in any form to government is regarded with suspicion. He questions the usefulness of an opposition party. He believed that the evil that opposition parties do, more than counterbalances any good they may do in keeping the government alert and in correcting abuses. One bad effect of an opposition is to cause a low and an unworthy opinion of government. Hence, ill-informed men are led instead of reverencing government to do all they can to dishonor it. The friends of government are then regarded as being servile, while those who oppose are popular.¹⁸ Boucher declared that conditions in the American colonies furnish examples where sound principles are not in vogue, but flimsy oratory vehemently harangues against the abuses of government but commends the love of liberty and disinterestedness of the opposition. Under such circumstances the destruction of foundations is not far off.

Boucher was not entirely convinced that the end of government is the common good of mankind. It is difficult for mankind to agree as to what is or is not the common good. A form of government cannot be named which this dogma with that other fallacy that government is based on consent of governed have not at one time or another set up and again pulled down.

¹⁸ *Ibid.*, p. 319.

What one people in one age have concurred in establishing on the basis of the common good, another people of another age have voted to be "mischievous and big with ruin." Boucher also scouts the idea that the end of government is the good of inferiors. For this principle is misunderstood and some say that because the end is above the means and more noble, therefore, subjects are above their governors and so may call them to account for their misgovernment.

Boucher believed that the idea of liberty is only realized when the people are trained to submit to steady principles of conduct. Liberty is synonymous with good government and the reign of the law. And it is the primary aim of all well-framed constitutions to place man out of reach of his own power by placing him under the power of law. Then to respect the law is to respect liberty in the only rational sense of the term, because liberty consists in subserviency to the law. The mere man of nature has no freedom. All his lifetime he is subject to bondage. It is by being included within the pale of civil society and government that he takes his rank as a free man. Careful and well devised restraints of law, if rigorously enforced, will give a large degree of civil liberty to any country. Boucher declared that to endeavor to pursue liberty in a manner not warranted by law is "clearly hostile to liberty and those persons who promise you liberty are themselves the servants of fraud."¹⁴

Boucher believed that disorderly resistance to constituted authority was bad. Rebellion, he declared, is contrary to divine ordinance. It is unjust. It is so destructive of society and authority that it is impossible for it to succeed. If resistance to government is a virtue and the practice of it our duty, Boucher says, there can be no peace. "In truth, when the reason of the subject is set above the law of the land, and the freedom of the magistrates is sacrificed to the freedom of the people; when kings are bound in fetters, and subjects can claim,

¹⁴ *Ibid.*, p. 509. Boucher has in mind the revolutionary committees and leaders.

as a matter of right, to resist at pleasure, government is in fact already overturned and human society is dissolved."

"Lucifer was the first author and founder of rebellion," Boucher declared, "which is the first, the greatest and the root of all other sins. Kings and princes, the evil as well as the good, reign by God's ordinance and subjects are bound to obey them and for no cause to rebel against them, although they be wicked men. It were a perilous thing to commit unto subjects to judge which prince is wise, which government good, and which otherwise. A rebel is worse than the worst government or the worst prince that hath hitherto been."¹⁵

It is obvious that Boucher believes the only alternative of the citizen is obedience. Obedience to the laws and constitution of every government, regardless of its kind, is strictly enjoined. "If the form of government is mild and free, it is our duty to enjoy it with gratitude and thankfulness. If it be less indulgent and liberal than in reason it ought to be, still it is our duty not to disturb and destroy the peace of the community by becoming refractory and rebellious subjects."

Nevertheless, Boucher's theological leanings led him to believe that no government could rightfully compel any subject to an active compliance with anything that appears to his conscience to be contrary to the known laws of God. In case of incompatibility, a wise man will submit to the ordinances of God. In this respect his attitude should be that of passive obedience; i. e., he will submit patiently to the penalties annexed to his disobedience of the will of the state. It is, therefore, seen that Boucher's ideas are similar to Martin Luther's. They have the same result; i. e., enhancing monarchy by non-resistance. His ideas will never, like John Calvin's, lead to any development of a sphere of individual freedom by positive resistance to government when the latter encroaches on the religious freedom of the subject. "A non-resisting spirit," Boucher declared, "never made any man a bad subject."

Boucher advised his congregation, if they were grieved by the duty of three pence a pound on tea laid by the British Par-

¹⁵ *Ibid.*, p. 486.

liament, to instruct their members in the legislature to use all constitutional means to obtain redress, as remonstrance and petition. If this fails of success "you cannot but be sorry and grieved, but you will better bear your disappointment by being able to reflect that it was not owing to any misconduct of your own."¹⁶

Jonathan Boucher expressed vigorously the Tory ideas which were held by a minority group in the American colonies. His toryism was of the kind that deprecated any opposition to the divinely established social and political order, and any disturbance that might disrupt the complacency and close relation between church and state. His political ideas are based on Sir Robert Filmer's *Patriarcha*. Boucher therefore could very consistently classify John Locke as an "inferior writer." He no doubt performed a service in attacking the absurdities of such contemporary political theories as the contract theory, and equality of man. For these theories Boucher substituted such dogmas as the divine origin of kingship and passive obedience, equally absurd theories in the light of modern criticism. His ideas were entirely contrary to the actual development of the English Constitution. They were too reactionary for the American colonies.

NOTES, CORRECTIONS, ETC.

The Papers of Randolph Abbott Shotwell, ed. by J. G. DE ROULAC HAMILTON. Raleigh, N. C. The North Carolina Historical Commission. Vol. 1, 1929. Pp. 511.

The subtitle of this first volume is "Three years in Battle and Three in Federal Prisons." The work is partly autobiographical and is one of the most interesting Civil War and post Civil War narratives that has ever come to hand. Shotwell was a picturesque character and his experiences during the

¹⁶ *Ibid.*, p. 559.

reconstruction period make absorbing reading. A valuable contribution to the Civil War literature.

The following changes should be inserted in Mr. Thom's article on Stonewall Jackson, June issue, page 143, so that lines 11 and 12 read:

her early death two children—Julia (X) and Thomas Jonathan Jackson Christian—were born to them, He graduated at West Point. The

And at the bottom of page 143 (X):—

She married Mr. Edmund Randolph Preston, son of Rev. John A. Preston and grandson of Colonel Preston formerly of the Virginia Military Institute. They reside in Charlotte, North Carolina, with their five children who are as follows:—

Anna Jackson Preston, age about 19 years,
Cortlandt Preston, age about 16 years,
Julia Jackson Preston, age about 13 years,
Edmund Randolph Preston, Jr., age about 5 years,
Thomas Jonathan Jackson Preston, age about 3 years.

And on page 146 turn the first two sentences into one as follows:

He, too, had been involved, but as a principal in a duel between students while he was a student at William and Mary College, and solely in consequence the College authorities caused him to leave though the student body signed a petition that he stay.

And on page 151, lines 27 and 28 change so that they read:
great steeplechase horses, Problem, son of Pimlico and Young Atilla, who after winning nine major steeple or hurdle races fell in his last steeplechase and broke his neck, and Tonkaway so in-

And, on page 156, line 18 change the word 'fifty' into fifteen.